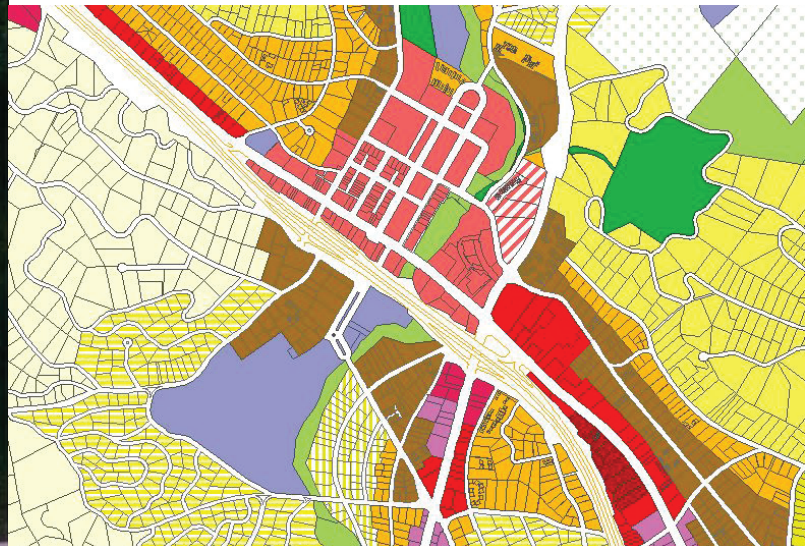




# City of Atascadero Zoning Handbook

**2016 Edition**







**T**he Zoning Handbook is a compilation of the most commonly used Municipal Code sections pertaining to property development. Although the code sections in the handbook are reformatted from the City's official Municipal Code, some sections of Title 9 are not included and may be found in the Citywide Municipal Code. Please see the Citywide Municipal Code for code sections relating to the following: Lot Merger, Native Trees, Condominium Development, Reasonable Accommodation, Noise, Signs, Special Uses, and Adult Oriented Businesses. It is hoped that this handbook helps guide your development project here within the City. If at any time you have any questions in regards to development, standards, planning, zoning, or any other question you may have, please feel free to contact our staff members at (805) 461-5035, or stop by our Historic City Hall, located at 6500 Palma Avenue, 1st floor. We look forward to assisting, serving, and providing the best customer service possible.

**- The Community Development Department of the City of Atascadero**

*Dedicated to Atascadero's character and safety by helping people plan and build quality projects.*





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## Chapter 1: Administration & Permit Types

### 1.1 Title & Purpose (AMC 9-1.101)

This title is known as the Zoning Regulations of the City of Atascadero, Title 9 of the Atascadero Municipal Code. These regulations are established and adopted to protect and promote the public health, safety and welfare and provide a regulatory structure which:

- a) Provides for the development of land uses in a manner that encourages and supports the goals and policies of the General Plan; and
- b) Minimizes adverse effects on the public resulting from the inappropriate creation, location, use or design of building sites, structures, or other land uses by providing appropriate standards for development; and
- c) Protects and enhances the unique and significant natural, historic, cultural and scenic resources within the City; and
- d) Assists the public in identifying and understanding regulations affecting the development and use of the land.

### 1.2 Applicability Of The Zoning Regulations (AMC 9-1.104)

#### 1.2.1 Proposed Uses

The provisions of this title apply to all lots, buildings, structures and uses of land created, established, constructed or altered subsequent to the adoption of this title, unless specifically exempted by this section.

#### 1.2.2 Existing Uses

The provisions of this title are not retroactive in their effect on a use of land lawfully established before the effective date of this title, unless an alteration, expansion or modification to an existing use is proposed which requires approval pursuant to this title. A use lawfully established before the effective date of this title shall become a nonconforming use subject to all applicable provisions of Chapter 9-7 [of the Atascadero Municipal Code] unless the use is determined to be in compliance with all applicable provisions of this title.

### 1.2.3 Completion Of Approved Uses

Nothing in this title shall require any change in the plans, construction or approved use of a building or structure for which a permit has been issued or a zoning approval has been granted before the effective date of this title, as follows:

#### *Building Permits*

Site work has progressed beyond grading and completion of structural foundations within one hundred eighty (180) days after building permit issuance;

#### *Zoning Approvals*

Projects authorized through the approval of departmental reviews, conditional use permits, precise plans, variances, and development plans shall apply for construction permits within two (2) years of the effective date of the approval of a conditional use permit, precise plan, variance, development plan, unless an extension of time granted such entitlements has been approved as provided under Section 9-2.117 [of the Atascadero Municipal Code]. Any project that was approved for phased construction may continue under the approved phasing schedule.

### 1.2.4 Non-Existing Use

A use of land not completed as provided in Completion Of Approved Uses described above in this section as of the effective date of the ordinance codified in this title shall be prohibited unless the use is determined to be in compliance with all applicable provisions of this title.

### 1.3 Compliance With Uses Set Forth In Zoning Districts Required (AMC 9-1.105)

No new building or use of land shall be established and no application for such use or other permit required by this title shall be accepted for processing unless the proposed use is allowed in the zoning district where the proposed activity is to be located, except where otherwise provided by Chapter 9-7 [of the Atascadero Municipal Code].



## **1.4 Compliance With Standards Required (AMC 9-1.106)**

No use of land or buildings shall be established and no application for a use of land or buildings shall be approved unless the proposed land use or building satisfy all applicable standards of this title, except where otherwise provided by Chapter 9-7 [of the Atascadero Municipal Code]. No such application shall be approved where an existing land use or building is being maintained in violation of any applicable provision of this title, except where the purpose of the application is to correct the violation.

## **1.5 Fees Required (AMC 9-1.107)**

Any application filed with the Community Development Department shall be accompanied by the required filing fee at the time of submittal. The required filing fee shall be determined by resolution of the City Council.

## **1.6 Administration Of The Zoning Regulations (AMC 9-1.108)**

This title shall be administered by the Community Development Director. The responsibilities of the Community Development Director under this title include the following functions, which may be carried out by such other persons as he or she may designate:

### **1.6.1 Application Processing**

Receive and review all applications for projects; certify that applications submitted have been properly completed; establish permanent files; conduct site and project analyses; make environmental determinations; provide public notices; meet with applicants; collect fees; prepare reports; process appeals; present appropriate staff reports to the Planning Commission, City Council, and City Manager; and

### **1.6.2 Coordination**

Refer and coordinate matters related to the administration of this title with other agencies and City departments; and

### **1.6.3 Amendment**

Pursuant to Section 9-1.114 [of the Atascadero Municipal Code], petition the Planning Commission

or City Council to initiate amendment of this title when such amendment would better implement the General Plan and increase its effectiveness and/or improve or clarify the procedures or content of this title; and

## **1.6.4 Enforcement**

Enforce and secure compliance with the provisions of this title pursuant to Chapter 9-8 [of the Atascadero Municipal Code].

## **1.7 Approved Plans (AMC 9-2.111)**

A land use or development project authorized through a zoning approval shall be developed or established only as shown on the project plans approved as part of the application. Deviation of the project design or construction from the approved plans may occur only as follows:

- a) Except as provided by subsection (b) of this section, a feature of the use or project which is subject to the standards of Chapters 9-4 and 9-6 [of the Atascadero Municipal Code] may be modified provided that the change requested is in conformity with the standards of this title. Such change shall be requested in writing with appropriate supporting materials and explanation of the reasons for the request. The Community Development Director may approve a requested change upon verification of its conformity with this title, provided that such approval shall not modify the effective date of the approval (Section 9-2.112).
- b) In the case of a project feature which is subject to conditions of approval of a conditional use permit, or was a specific consideration in the approval of a conditional use permit, a new conditional use permit approval shall be obtained.

## **1.8 Permit Time Limits (AMC 9-2.112)**

An approved plot plan is valid for the time limits established by Title 8 [Building Code] governing building permits. An approved precise plan or conditional use permit, when not part of a planned development with an approved corresponding tentative map, is valid for twenty-four (24) months after its effective date, unless otherwise provided by adopted conditions. At the end of the twenty-four (24) months the approval shall expire

and become null and void unless:

- a) Building permits have been applied for and have not expired;
- b) The project is completed (Section 9-2.114);
- c) An extension has been granted (Section 9-2.117); or

A building moratorium is imposed on the project site.

If a conditional use permit has been approved as part of a planned development with a corresponding tentative map, the life of the conditional use permit shall run with the map and shall only expire if the map expires. Time extensions for the map shall also extend the time of the corresponding conditional use permit. Conditional use permits which correspond with a tentative map shall remain active and shall not expire once the map is recorded. This provision shall apply retroactively and, as a result, any conditional use permit which expired prior to the effective date of the ordinance codified in this section, but which was approved as part of a planned development with a corresponding tentative map that is still active, shall no longer be considered expired but shall instead be deemed active and subject to expiration only if and when the corresponding map expires without having been recorded.

Nothing in this title shall be construed as affecting any time limits established by Title 8 of [the Atascadero Municipal Code] regarding work authorized by a building permit or other construction permit issued pursuant to Title 8, or time limits relating to the expiration of such permit.

## 1.9 Extension of Entitlement (AMC 9-2.117)

### 1.9.1 Initial Extension

The Community Development Director may grant a one (1) year extension to the time limit for any entitlement (Section 9-2.112). Such extension shall be requested in writing on or before the date of expiration of the entitlement. The Community Development Director shall grant an extension only after finding that:

- a) There have been no changes to the provisions of the General Plan or zoning regulations applicable to the project since the approval of the entitlement; and

- b) There have been no changes in the character of the site or its surroundings which affect how the standards of the General Plan or zoning regulations apply to the project.
- c) Disapproval of a requested extension by the Community Development Director may be appealed to the Planning Commission as set forth in Planning Department Actions in Section 9-1.111 [of the Atascadero Municipal Code].

### 1.9.2 Continuing Extensions

The Planning Commission may grant additional extensions after an initial extension, provided that each such extension shall not exceed one (1) year. Continuing extension may be granted when the applicant has filed a written request with the Community Development Department on or before the date of expiration of the initial extension, and provided that the Planning Commission makes the following findings:

- a) That substantial site work could not be completed as set forth in Section 9-2.113 because of circumstances beyond the control of the applicant; and
- b) The findings specified in Initial Extension from Section 9-2.117 [of the Atascadero Municipal Code].

## 1.10 Lapse of Entitlement (AMC 9-2.118)

In the event that any of the circumstances listed in this section occur, an entitlement shall be deemed to have lapsed. No use of land or structure, the entitlement for which has lapsed pursuant to this section, shall be reactivated, reestablished, or used unless a new entitlement is first obtained.

### 1.10.1 Completed Projects

When a project has been completed or an authorized use not involving construction has been established (Section 9-2.114), the entitlement which authorized the project shall retain valid and in force, including any conditions of approval adopted in connection therewith, unless:

- a) An approved use or structure authorized through plot plan approval is removed from the site, and the site remains vacant for a period exceeding six (6) consecutive months, in which case the plot plan approval shall lapse (Section 9-2.118);





- b) The circumstance described below in Condition Declared Void of this section occurs, in which case conditional use permit approval shall lapse;
- c) A use or structure authorized through precise plan or conditional use permit approval remains vacant and unused for its authorized purpose, or is abandoned or discontinued for a period greater than twenty-four (24) consecutive months; or
- d) The entitlement is revoked in accordance with Section 9-8.105.

### 1.10.2 Condition Declared Void

The conditional use permit shall cease to be valid in the event that a judgment of a court of competent jurisdiction declares one (1) or more of the conditions of a conditional use permit approval to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one (1) or more of such conditions.

## 1.11 Permit Types (AMC 9-1.112 / 9-2 / Title 11)

The following are the types of entitlement permits that are utilized within the City of Atascadero. Some uses or developments require entitlements, while others do not and their level of complexity varies. All entitlements require fees and various required drawings and other items required. Please contact the Community Development Department for assistance in the type of application required and information needed to process and complete an application.

**Table 1.1: Permit Types**

Entitlement Type	When Required	Approval Body	Municipal Code Reference
Zoning Clearance	Business License Application	Community Development Staff	AMC 9-2.106
Plot Plan	Allowed use in use tables, but required by Municipal Code or Community Development Staff	Community Development Staff	AMC 9-2.108
Precise Plan	Allowed use, however project requires additional environmental review per CEQA	Community Development Director or Designee	AMC 9-2.109
Administrative Use Permit	As listed in allowed use tables & Municipal Code	Community Development Director or Designee	AMC 9-1.112
Design Review	All new multi-family, planned developments, and non-commercial developments	Design Review Committee	AMC 9-2.107
Conditional Use Permit	As listed in use tables & Municipal Code	Planning Commission	AMC 9-2.110
Variance	If a proposed project cannot meet development standards	Planning Commission	AMC 9-1.113
Planned Development / Specific Plan	Where development standards or processing procedures differ from those established by the underlying zoning district	City Council	AMC 9-3.643

## Chapter 2: Residential Development

### 2.1 Zoning Districts Established (AMC 9-3.102)

The following zoning districts are established:

Agricultural & Residential zoning districts:

- 1) Agriculture—A;
- 2) Residential Suburban—RS;
- 3) Residential Single Family—RSF;
- 4) Limited Single Family Residential—LSF;
- 5) Residential Multiple Family—RMF.

### 2.2 Agriculture & Residential Zoning Districts (AMC Chapter 3, Article 2)

The purposes of the individual agriculture and residential zoning districts and the manner in which they are applied are as follows:

#### A (Agriculture) Zoning District

This zone is established to protect, preserve and encourage agriculture on suitable land. The Agriculture Zone is intended to support and encourage the continuation of the Agricultural Preserve Program and the maintenance of productive open space.

#### RS (Residential Suburban) Zoning District

This zone is established to provide for large lot residential uses in areas outside the urban services line or in other areas where large lots are desirable to protect land uses and buildings subject to inundation, steep slopes or other hazards.

#### RSF (Residential Zoning Family) Zoning District

This zone is established to provide for single-family residential areas within the urban services line.

#### LSF (Limited Single Family) Zoning District

This zone is established to provide for single-family residential areas within the urban services line where the raising of farm animals would not be allowable.

#### RMF (Residential Multi-Family) Zoning District

This zone is established to provide for apartment, condominium, townhouse development, and other small lot residential products, where higher density residential development is desired within the urban services line.

### 2.3 Agriculture & Residential District Allowable Land Uses (AMC 9-3.230)

[The following table] identifies the uses of land allowed this Zoning Code in each agriculture and residential district, and the planning permit required to establish each use, in compliance with Section 9-1 and Section 9-2 of this code. Where the last column in the tables ("Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use. Provisions in other sections of this article may also apply.



Table 2.1: Residential &amp; Ag Allowed Uses

Allowed Land Uses & Permit Requirements  <b>Agriculture / Residential Zones</b>	A    Allowed Use, Zoning Clearance Required  AUP   Administrative Use Permit  CUP   Conditional Use Permit Required  <input type="checkbox"/> Not Permitted					
	Permitted Uses By Zones					Special Use Regulation(s)
	A	RS	RSF	LSF	RMF	
<b>Agricultural Related Uses</b>						
Agricultural Accessory Uses	A	A	A			9-6.109
Agricultural Produce Stands	A	A	A	AUP	AUP	9-6.117
Agriculture Employee Housing	A					9-6.107
Farm Animal Raising	A	A	A		AUP	9-6.112
Horticultural Specialties	A	A				9-6.116
Large Scale Ag Manufacturing	A	CUP				9-6.103
Livestock Specialties	A	CUP				9-6.115
Medical Marijuana Cultivation		A	A	A	A	9-6.186
Small Scale Ag Processing	A	A	A	AUP	AUP	9-6.103
<b>Natural Resources and Processing</b>						
Resource Extraction	CUP	CUP				9-6.147-9.6-61
<b>Residential Uses</b>						
Multi-Family Housing					A	9-3.175
Manufactured Home / Mobile Home	A	A	A	A	A	9-6.143
Mobile Home Parks		CUP	CUP	CUP	CUP	9-6.142, 9-6.143
Organizational Houses		CUP	CUP	CUP	CUP	9-3.175
Residential Accessory Uses		A	A	A	A	9-6.106
Single-Family Dwelling		A	A	A	A	9-6.143, 9-6.184
Secondary Residential Units		A	A	A		9.5
Temporary Dwelling		A	A	A	A	9-6.175
<b>Recreation, Education, &amp; Public Assembly</b>						
Churches & Related Activities		CUP	CUP	CUP	CUP	9-6.121
Parks & Playgrounds						
Schools		CUP	CUP	CUP	CUP	9-6.125
Schools - Business & Vocational		CUP	CUP	CUP	CUP	9-6.125
Temporary Events	A	A	A	A	A	9-6.177



Allowed Land Uses & Permit Requirements  <b>Agriculture / Residential Zones</b>	A    Allowed Use, Zoning Clearance Required  AUP   Administrative Use Permit  CUP   Conditional Use Permit Required  <input type="checkbox"/> Not Permitted					
	Permitted Uses By Zones					Special Use Regulation(s)
	A	RS	RSF	LSF	RMF	
Tourism, Lodging, & Dining						
Bed & Breakfast		CUP	CUP	CUP	CUP	
Services-Professional						
Day Care – Small Family Day Care Home		A	A	A	A	9-6.125
Day Care – Large Family Day Care / Child Care Center		CUP	CUP	CUP	CUP	9-6.125
Kennels		CUP	CUP			9-6.111
Medical Extended Care Services, six (6) clients or less		A	A	A	CUP	9-6.134
Medical Extended Care Services, seven (7) clients or more		CUP	CUP	CUP	CUP	9-6.134
Residential Care, six (6) clients or less		A	A	A	A	9-6.135
Residential Care, seven (7) clients or more		CUP	CUP	CUP	CUP	9-6.135
RCFE – Assisted Living, six (6) clients or less		A	A	A	A	9-6.135
RCFE – Assisted Living, seven (7) clients or more		CUP	CUP	CUP	CUP	9-6.135
RCFE – Independent Living Center / Senior Apartments					CUP	
RCFE – Retirement Hotel					CUP	
Transportation, Infrastructure & Communication						
Pipelines Utility Infrastructure	CUP	CUP	CUP	CUP	CUP	
Utility Transmission Facilities	A	A	A	A	A	
Wireless Communication Facilities	CUP	CUP	CUP	CUP	CUP	
Notes:						
Zoning Districts Abbreviations						
A – Agriculture; RS-Residential Suburban ; RSF-Residential Single Family Residential ; LSF – Limited Single Family Residential ; RMF – Residential Multi-Family						



## 2.4 Land Use Definitions – Ag & Residential Uses

### Purpose (AMC 9-3.501)

This section contains descriptions of the types of land uses which can be established in the various zones. The uses described here are allowed in the various zoning districts established. The description of land uses are intended only to list the various land uses included under each general heading and do not explain what permit requirements or performance standards may be applicable to a given use. If a use here within is not defined in this section, or in other provisions of the City of Atascadero Municipal Code, the Community Development Director shall determine the correct definition.

### Definitions (AMC 9-3.520)

As used in Title 9, the following terms and phrased shall have the meaning ascribed to them in this Section, unless the context in which they are used clearly requires otherwise.

#### Definitions “A”

**Accessory Storage:** The indoor or outdoor storage of various materials on the same site as a principal building or land use which is other than storage, which supports the activities or conduct of the principal use.

**Agricultural Accessory Uses:** Includes any use that is customarily part of an agricultural including structures that are designed to house farm implements, hay, grain, poultry, livestock, or other horticulture products, including non-commercial greenhouse that are incidental and secondary to a residential use. This does not include garages, workshops, or other similar residential accessory structures.

**Agriculture Employee Housing:** Includes single-family dwellings, or other lodging accommodations provided as a part of farming operations, as regulated under the California Health and Safety Code, employees on land owned by the owner of the building site on which the lodging is located.

**Agricultural Produce Stands:** Open structures for the retail sale of agricultural products (except hay, grain and feed sales which are included under “Farm Equipment and Supplies”) which are grown on the site in residential or agriculture zones. This does not include

Farmer’s Markets or “seasonal sales located in non-residential zoning districts, defined under “temporary sales”.

**Animal Hospitals:** Establishments primarily engaged in performing services for animals, including veterinary services and animal hospitals. Does not include kennels, which are listed as a separate category.

#### Definitions “B”

**Bed & Breakfast:** Transient lodging establishments primarily engaged in providing overnight or otherwise temporary lodging for the general public. Such establishments provide limited meal service, generally breakfast, for lodgers

#### Definitions “C”

**Churches & Related Activities:** Religious organization facilities operated for worship or for promotion of religious activities, including churches and religious Sunday-type schools. Other establishments maintained by religious organizations, such as educational institutions, hospitals and other operations that may be considered commercial in nature if not run by the religious organization (such as a recreational camp) are classified according to their respective activities.

#### Definitions “D”

**Day Care:** Facilities that provide non-medical care and supervision of individuals for periods of less than twenty-four (24) hours. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services or successor agency. Day care uses include the following:

**Child Care Center:** Child day care facilities designed and approved to accommodate fifteen (15) or more children. Includes infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.

**Large Family Day Care Home:** As provided by Health and Safety Code Section 1596.78 or successor provision, a home that regularly provides care, protection, and supervision for seven (7) to twelve (12) children, including up to two (2) children under the age of ten (10) years who reside in the home, for periods of less than twenty-four (24) hours per day, while the parents or guardians are away.



**Small Family Day Care Home:** As provided by Health and Safety Code Section 1596.78 or successor provision, a home that provides family day care for six (6) or fewer children, including two (2) children under the age of ten (10) years who reside in the home.

**Adult Day Care Facility:** A day care facility providing care and supervision for adult clients.

### **Definitions “F”**

**Farm Animal Raising:** The keeping, feeding or grazing of animals as an avocation, hobby, or school project, subordinate to the principal residential use of a property, includes species commonly considered as farm animals as well as exotic species, but does not include household pets. This includes the raising or feeding of beef cattle, sheep and goats by grazing or pasturing. Does not include uses defined as “Livestock Specialties.”

### **Definitions “H”**

**Home Occupations:** The gainful employment of the occupant of a dwelling, with such employment activity being subordinate to the residential use of the property.

**Horticultural Specialties:** Businesses engaged in the production of ornamental plants, tree farms, and other products, grown under cover or outdoors. Also includes establishments engaged in the sale or on-site production of such product.

### **Definitions “K”**

**Kennels:** A lot, building, structure, enclosure or premises where four (4) or more dogs or cats (four (4) months of age or older) are kept or maintained, including the keeping of such animals for sale, for commercial breeding or for lodging and care. Does not include dogs and cats kept for noncommercial purposes.

### **Definitions “L”**

**Large Scale Ag Manufacturing:** The large scale processing of agriculture products subsequent to their harvest, with the intent of preparing them for market or further processing including: alfalfa cubing; hay baling and cubing; corn shelling; drying of corn, rice,

hay, fruits and vegetables; grain cleaning and custom grinding; custom grist mills; custom milling of flour, feed and grain; sorting, grading and packaging of fruits and vegetables; tree nut hulling and shelling; cotton ginning; and wineries in excess of 1,000 square feet in total use area. This does not include the growing, harvesting, and production of medical marijuana, or legally approve uses of marijuana by either the State of California or Federal Government.

**Livestock Specialties:** Agricultural establishments primarily engaged in commercial livestock keeping or feeding as a principal land use which, because of operational characteristics, may generate dust, odors or visual impacts which could have an adverse effect upon adjacent properties. Such uses include dairies, chicken, turkey and other poultry farms; animal specialties (such as rabbit farms and other fur-bearing animals); other specialties such as bee farms, aviaries, worm farms, etc.

### **Definitions “M”**

**Medical Extended Care Services:** Residential facilities providing nursing and health-related care as a primary use with in-patient beds. Examples of these uses include: board and care homes; convalescent and rest homes; extended care facilities; and skilled nursing facilities. Long-term personal care facilities that do not emphasize medical treatment are included under “Residential Care.”

**Medical Marijuana:** See Section 9-6.186.

**Membership Organizations:** Organizations operating on a membership basis for the promotion of the interests of the members, including: business associations; professional membership organizations; labor unions and similar labor organizations; civic, social and fraternal organizations (not lodging); political organizations and other membership organizations.

**Mobile Home Park:** Any site that is planned and improved to accommodate two (2) or more mobile homes used for residential purposes, or on which two (2) or more mobile homes, as the term “mobile home” is defined in California Civil Code Section 798.3 or successor provision of the California Mobilehome Residency Law, for non-transient use, are rented,



leased, or held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate mobile homes used for residential purposes.

**Mobile Home / Manufactured Home:** A modular structure that is transportable in one or more sections, that is certified under the Nation Manufactured Housing Construction and Safety Standards Act of 1974, is tied down to either a permanent foundation with wheels removed and skirted. A mobile home on a permanent foundation is considered a single-family dwelling.

**Multiple-Family Dwelling:** Two (2) or more dwelling units located on a single lot, each occupied by a single housekeeping unit; includes buildings or groups of buildings designated as apartments, duplexes, triplexes and condominiums, but not including motels, hotels, dormitories, or RV parks as herein defined. Also includes transitional housing, supportive housing and single room occupancy housing where people live as independently as possible with the assistance of social services tailored to each person's needs as defined in Section 9-9.102 of the Zoning Ordinance. This does not include secondary units in single family zoning districts.

### *Definitions "O"*

**Organization Houses:** Residential lodging houses operated by membership organizations for the benefit of their constituents and not open to the general public. Also includes fraternity and sorority residential houses and religious residential retreats.

### *Definitions "P"*

**Parks & Playgrounds:** A public outdoor recreational facility that may provide a variety of recreational activities including playground equipment, open space areas for passive recreation including hiking and biking trails, zoos, picnicking, and sport and active recreation facilities dedicated for use to the public.

**Personal Services:** Service establishments primarily engaged in providing non-medical services as a primary use and may include accessory retail sales of products related to the services provided. These uses include the following: beauty shops (includes permanent makeup when less than ten percent (10%) of overall sales), barber shops, day spas and massage therapy where each massage therapist is certified/licensed by a State-recognized organization, shoe repair shops, dry cleaning pickup stores, clothing rental, tailors, tanning salons, pet grooming services, nail salons, and other similar uses.

### *Definitions "R"*

**Residential Accessory Uses:** Includes any use that is customarily part of a residence and is clearly incidental and secondary to a residence and does not change the character of the residential use. Residential accessory uses include the storage of vehicles and other personal property and accessory structures including garages, studios and workshops.

**Residential Care:** A single-family or multiple-family dwelling unit that is licensed or supervised by a Federal, State, or local health/welfare agency that provides non-medical care of unrelated persons who are in need of personal service, supervision, or assistance essential for sustaining activities of daily living or for the protection of the individual. Use includes the following: children's homes; halfway houses; rehabilitation centers; self-help group homes.

**Residential Care Facility For The Elderly (RCFE):** A housing arrangement chosen voluntarily by the residents or the residents' guardians, conservators or other responsible person(s) where the following occurs: where seventy-five (75) percent of the residents are at least sixty-two (62) years of age, or, if younger, have needs compatible with other residents; and where varying levels of care and supervision are provided, as agreed to at the time of admission or as determined necessary. RCFE uses may include basic services and community space. RCFE uses include the following:

**Assisted Living Facility:** A residential building or buildings that also provide housing, personal and health care, as permitted by the Department of Social Services, designed to respond to the daily, individual needs of the residents. Assisted living facilities may include kitchenettes (small refrigerator, sink and/or microwave oven) within individual rooms. Assisted living facilities are required to be licensed by the California Department of Social Services, and do not include Medical Extended Care Services.

**Independent Living Center/Senior Apartment:** Independent living centers and senior apartments are multi-family residential projects reserved for senior citizens, where common facilities may be provided (for example, recreation areas), but where each dwelling unit has individual living, sleeping, bathing, and kitchen facilities.

**Resource Extraction:** Uses primarily engaged in resource extraction, including but not limited to mining, developing mines or exploring for metallic minerals (ores), coal and nonmetallic minerals), or surface mines extracting crushed and broken stone, dimension stone or sand and gravel."

### **Definitions "S"**

**Schools—Business & Vocational:** Business and secretarial schools; vocational schools offering specialized trade and commercial courses; specialized nondegree granting schools, such as: music schools; dramatic schools; language schools; driver education schools; ballet and other dance studios; and establishments furnishing educational courses by mail.

**Schools:** An institution or establishment that provides a program of instruction and teaching services. Includes: preschools, elementary and secondary schools serving grades K through 12 (or portions thereof); junior colleges, colleges and universities; and similar education institutions. Does not include Sunday schools which are permitted under "Churches and Related Facilities."

**Secondary Residential Unit:** Second residential units are defined as residential occupancy constructions (R) with a kitchen and full bathroom that is accessory to the primary unit and intended for permanent occupancy by a second housekeeping unit.

**Single-Family Dwelling:** An attached or detached building not to contain more than one (1) kitchen wherein the occupants of the dwelling unit are living and functioning together as a single housekeeping unit,

meaning that they have established ties and familiarity with each other, jointly use common areas, interact with each other, membership in the single housekeeping unit is fairly stable as opposed to transient, and members have some control over who becomes a member of the single housekeeping unit. Also includes factory-built, manufactured housing units and mobile homes constructed in compliance with Title 25 of the California Health and Safety Code, or successor provision as defined in Section 9-9.102 of the Zoning Ordinance; transitional housing and supportive housing serving six (6) or fewer persons as defined in Section 9-9.102 of the Zoning Ordinance.

**Small Scale Ag Processing:** The small scale processing of agriculture products grown or produced on-site, bottling, canning, or storage of agriculture products grown and processed on-site, where the processing or storage shall not exceed 1,000 square feet (sf) in total use areas. This does not include tasting rooms.

### **Definitions "T"**

**Telecommunication Facility:** Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, cellular data network, and wireless communication towers (cellular phones), including commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph, and cable television transmission facilities utilizing hard-wired or direct cable connections. Does not include data processing centers.

**Temporary Dwelling:** Includes the temporary use of a mobilehome or recreational vehicle as a dwelling unit, following the issuance of a building permit for a permanent residence while the permanent residence is under construction.

**Temporary Events:** Any use of a structure or land for an event for a limited period of time where the site is not to be permanently altered by grading or construction of accessory facilities. Events include: art shows; rodeos; religious revivals; tent camps; outdoor festivals and concerts.

**Transitional Housing:** Buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible



program recipient at some predetermined future point in time, which shall be no less than six (6) months (Health and Safety Code Section 50675.2(h)). This definition excludes housing for halfway houses intended for occupancy by parolees or convicted persons, children's homes, halfway houses, rehabilitation centers, and self-help group homes.

### Definitions "U"

**Utility Facilities:** A fixed-base structure or facility serving as a junction point for transferring electric utility services from one transmission voltage to another or to local distribution and service voltages, and similar facilities for water supply, natural gas distribution, wastewater pump station, fiber optics junction box, or other similar facilities that are not exempted from land use permit requirements by California Government Code section 53091 or successor code.

**Utility Infrastructure:** Pipelines for water, natural gas, sewage collection and disposal; and facilities for the transmission of electrical energy for sale, including transmission lines for a public utility company. Also include telephone, cable television, and other communications transmission facilities utilizing direct physical conduits. Does not include offices or service center as defined under "offices" or distribution substations ("Utility Facilities").

## 2.5 Density – Agriculture & Single Family Residential Zones

New residential subdivisions and the density of residential Development shall comply with the following for agriculture and residential zones.

**Table 2.2: Residential & Ag Density**

Zoning District	Minimum Density	Maximum Density	2 <sup>nd</sup> Unit Permitted		
			Allowed	Min. 1 Acre	City Sewer
A	N/A	1 unit	No		
RS	N/A	¼ unit per gross acre	Yes	Required	N/A
RSF-Z / LSF-Z	N/A	1 unit per gross acre	Yes	Required	Required if less than 1 acre
RSF-Y / LSF-Y	N/A	½ unit per gross acre	Yes	N/A	Required if less than 1 acre
RSF-Y / LSF-Y	N/A	4 per net acre with PD approval	Yes	N/A	Required if less than 1 acre
RMF-10	2 units per net acre	10 units per net acre	No		
RMF-20	20 units per net acre	24 units per net acre	No		



## 2.6 Lot Sizes (AMC 9-3.240)

New subdivisions and the densities of agriculture and residential development shall comply with the requirement for lot sizes.

### 2.6.1 Minimum Lot Size – A Zone (AMC 9-3.241)

The minimum lot size in the Agriculture Zone shall be established by the minimum area needed to maintain productive agricultural use of the property.

### 2.6.2 Minimum Lot Size – RS Zone (AMC 9-3.242)

The minimum lot size in the Residential Suburban Zone shall be two and one-half (2 1/2) acres and may range up to ten (10) acres depending upon conformance with performance standards established in this section.

#### Performance Standards

The following performance standards shall be evaluated for each lot in determining its minimum lot size:

#### Distance from the Center of the Community

Using the Atascadero Administration Building as the center of the community, the lot size factor based on this performance standard shall be:

**Table 2.3: RS Lot Size Factor Distance From The Center Of The Community**

Distance*	Lot Size Factor
0 — 8,000'	0.20
8,000' — 10,000'	0.25
10,000' — 12,000'	0.30
12,000' — 14,000'	0.40
14,000' — 16,000'	0.50
16,000' — 18,000'	0.60
18,000' — 20,000'	0.75
20,000' +	0.90
*To be measured as radial distance using map maintained in Community Development Department.	

#### Septic Suitability

Using generalized soils data from the Soil

Conservation Service Reports, the lot size factor based on this performance standard shall be:

**Table 2.4: RS Lot Size Factor Septic Suitability**

SCS Rating*	Lot Size Factor
Well suited	0.50
Moderate	0.75
Slow	1.00
Severe	1.50
*Refer to map maintained in Community Development Department.	

#### Percolation Tests

These tests may be substituted for the Soil Conservation Service Reports. These shall be prepared by a registered civil engineer or licensed sanitarian. The following conversion chart shall be used to determine the appropriate lot size factor:

**Table 2.5: RS Lot Size Factor Percolation Tests**

Percolation Rating	Minutes Per Inch
Well suited	Less than 20
Moderate or slow	20 to 39
Slow	40 to 59
Severe	Greater than 60

#### Average Slope

Using the Basic, Sectional or Contour Measurement Method, the lot size factor based on this performance standard shall be:

**Table 2.6: RS Lot Size Factor Average Slope**

Slope	Lot Size Factor
0 — 10%	0.50
11 — 20%	0.75
21 — 25%	1.00
26 — 30%	1.25
31 — 35%	1.75
36 — 40%	2.00
40%+	2.25





Condition of Access

Using the road right-of-way with the shortest accessible distance between a lot and an improved collector road, the lot size factor based on this performance standard shall be:

**Table 2.7: RS Lot Size Factor Condition Of Access**

Condition	Lot Size Factor
City accepted road	0.40
Paved road, less than 15% slope	0.40
Paved road, greater than 15% slope	0.50
All-weather road less than 15% slope	0.75
All-weather road greater than 15% slope	1.00
Unimproved road less than 15% slope	1.25
Unimproved road greater than 15% slope	1.50

General Neighborhood Character

Using the average lot size of existing lots which are zoned for single-family residential use (except that lots larger than fifteen (15) acres shall be excluded unless they constitute more than twenty-five percent (25%) of the total number of lots) within a one thousand five hundred (1,500) foot radius, the minimum lot size factor based on this performance standard shall be determined by multiplying the average lot size by 0.2.

**Determination Of Minimum Lot Size**

The minimum lot size shall be determined by the sum of each of the lot size factors for the performance standards set forth in Performance Standards of this section.

- The most current information shall be used to determine the lot size factor. Where information is not available, the Community Development Director shall determine which lot size factor shall apply.

- If more than one (1) lot size factor can be applied to a lot, the less restrictive factor shall be used.
- Lot size factors shall be based on conditions in existence at the time of filing an application unless information is included with the application which will alter a lot size factor.

**2.6.3 Minimum Lot Size—RSF Zone (AMC 9-3.152)**

The minimum lot size in the Limited Residential Single-Family Zone shall be twenty thousand (20,000) square feet with sewer, one-half (1/2) acre where sewer is not available and may range up to two and one-half (2-1/2) acres. The size of a lot shall be consistent with the land use designation set forth in the General Plan and shall be indicated by the symbols set forth in the following chart, which shall be shown on the official zoning maps as provided by Minimum Lot Size In Residential & Agricultural Zoning district Areas from Section 9-3.104.

**Table 2.8: RSF Minimum Lot Size**

Symbol	Minimum Lot Size
X	One-half (1/2) acre net area (excluding land needed for street rights-of-way whether publicly or privately owned).
Y	One (1) acre, when sewers are available.  One and one-half (1-1/2) acres, when sewers are not available.
Z	One and one-half (1-1/2) to two and one-half (2-1/2) acres based on performance standards set forth in this section.

**Performance Standards**

The following performance standards shall be evaluated for each lot which is appended with the "Z" symbol in determining its minimum lot size:

### Distance from the Center of the Community

Using the Atascadero Administration Building as the center of the community, the lot size factor based on this performance standard shall be:

**Table 2.9: RSF Lot Size Factor Distance From The Center Of The Community**

Distance*	Lot Size Factor
0—4,000'	0.08
4,000'—6,000'	0.10
6,000'—8,000'	0.12
*To be measured as radial distance using map maintained in the Community Development Department.	

### Septic Suitability

Using generalized soils data from the Soil Conservation Service Reports, the lot size factor based on this performance standard shall be:

**Table 2.10: RSF Lot Size Factor Septic Suitability**

SCS Rating*	Lot Size Factor
Well suited	0.30
Moderate or slow	0.50
Severe	0.70
*Refer to map maintained in Community Development Department.	

### Percolation Tests

These tests may be substituted for the Soil Conservation Service Reports. These shall be prepared by a registered civil engineer or licensed sanitarian. The following conversion chart shall be used to determine the appropriate lot size factor:

**Table 2.11: RSF Lot Size Factor Percolation Tests**

Percolation Rating	Minutes Per Inch
Well suited	Less than 20
Moderate	20 to 39
Slow	40 to 59
Severe	Greater than 60

### Average Slope

Using the Basic, Sectional or Contour Measurement Method, the lot size factor based on this performance standard shall be:

**Table 2.12: RSF Lot Size Factor Average Slopes**

Slope	Lot Size Factor
0—20%	0.30
21—30%	0.50
31%+	0.70

### Condition Of Access

Using the road right-of-way with the shortest accessible distance between a lot and an improved collector road, the lot size factor based on this performance standard shall be:

**Table 2.13: RSF Lot Size Factor Based On Condition of Access**

Condition	Lot Size Factor
Paved with slope of less than 15% or City-accepted	0.15
Paved with slope of greater than 15%	0.20
All-weather surface with slope of less than 15%	0.25
All-weather surface with slope of greater than 15%	0.30
Unimproved surface	0.40



### General Neighborhood Character

Using the average lot size of existing lots (except that lots larger than five (5) acres shall be excluded unless they constitute more than twenty-five percent (25%) of the total number of lots) within a one thousand (1,000) foot radius, the minimum lot size factor based on this performance standard shall be determined by multiplying the average lot size by 0.2.

### Determination of Minimum Lot Size

The minimum lot size shall be determined by the sum of each of the lot size factors for the performance standards set forth in subsection (a) of this section.

- a) The most current information shall be used to determine the lot size factor. Where information is not available, the Community Development Director shall determine which lot size factor shall apply.
- b) If more than one (1) lot size factor can be applied to a lot, the less restrictive factor shall be used.
- c) Lot size factors shall be based on conditions in existence at the time of filing an application unless information is included with the application which will alter a lot size factor.

### **2.6.4 Minimum Lot Size – LSF Zone (AMC 9-3.244)**

The minimum lot size in the Limited Residential Single-Family Zone shall be twenty thousand (20,000) square feet with sewer, one-half (1/2) acre where sewer is not available and may range up to two and one-half (2-1/2) acres. The size of a lot shall be consistent with the land use designation set forth in the General Plan and shall be indicated by the symbols set forth in the following chart, which shall be shown on the official zoning maps as provided by Minimum Lot Size In Residential & Agricultural Zoning District Areas from Section 9-3.104.

**Table 2.14: LSF Minimum Lot Size**

Symbol	Minimum Lot Size
X	One-half (1/2) acre net area (excluding land needed for street rights-of-way whether publicly or privately owned).
Y	One (1) acre, when sewers are available. One and one-half (1-1/2) acres, when sewers are not available.
Z	One and one-half (1-1/2) to two and one-half (2-1/2) acres based on performance standards set forth in this section.

### **Performance Standards**

### Determination Of Minimum Lot Size

*(Performance Standards and Determination Of Minimum Lot Size are similar to RSF Zone described above.)*

### **2.6.5 Minimum Lot Size – RMF Zone (AMC 9-3.245)**

The minimum lot size in the Residential Multiple-Family Zone shall be one-half (1/2) acre. Smaller lot sizes may be allowed for planned residential developments, including condominiums and mobile home developments, provided that the overall density within the project conforms with Section 9-3.252.

### **Hillside Density Standards (RMF Zone)**

The densities permitted by the two above sections shall be modified to the following densities based on-site topography, as follows:

**Table 2.15: Hillside Density Standards For Low & High Density Multiple-Family Units**

Average Slope	Low Density Multiple-Family (units/acre)	High Density Multiple-Family (units/acre)
0—10.99%	10	20
11—15.99%	7	14
16—20.99%	5	10
21—25.99%	3	6
26—30.0%	2	4
> 30%	1	2

## 2.7 Ag & Residential Development Standards

### 2.7.1 Setbacks (AMC 9-4.103)

The following sections establish standards for the use and size of building setbacks. The purpose of these standards is to provide for open areas around structures where needed for: visibility and traffic safety; access to and around buildings; access to natural light, ventilation and direct sunlight; separation of incompatible land uses; and space for privacy, landscaping and private recreation.

#### Exceptions To Setback Standards (AMC 9-4.104)

The minimum setback requirements of this title apply to all uses except the following (see also Section 9-4.110 of the [municipal code]):

Uncovered decks, terraces, steps, earthworks and other similar landscaping or design elements placed directly on finished grade that do not exceed an average height of thirty (30) inches above the surrounding finished grade, provided that no such wood structure shall extend closer than eighteen (18) inches to a property line.

### Use of Setbacks (AMC 9-4.105)

Required setback areas are to be landscaped when required by Section 9-4.125 and shall be unobstructed by any building or structure. The use of setbacks for vehicle parking is subject to Section 9-4.116 [of the municipal code]

#### 2.7.1.A Front Setbacks (AMC 9-4.106)

The front setback is measured at right angles from the nearest point on the front property line to the building line. All structures are to be set back a minimum of twenty-five (25) feet from the nearest point on the front property line, except where this section establishes other requirements. Front setback landscaping and fencing standards are in Sections 9-4.125(a) and 9-4.128 of [the municipal code], respectively.

Figure 1.1: Front Setback

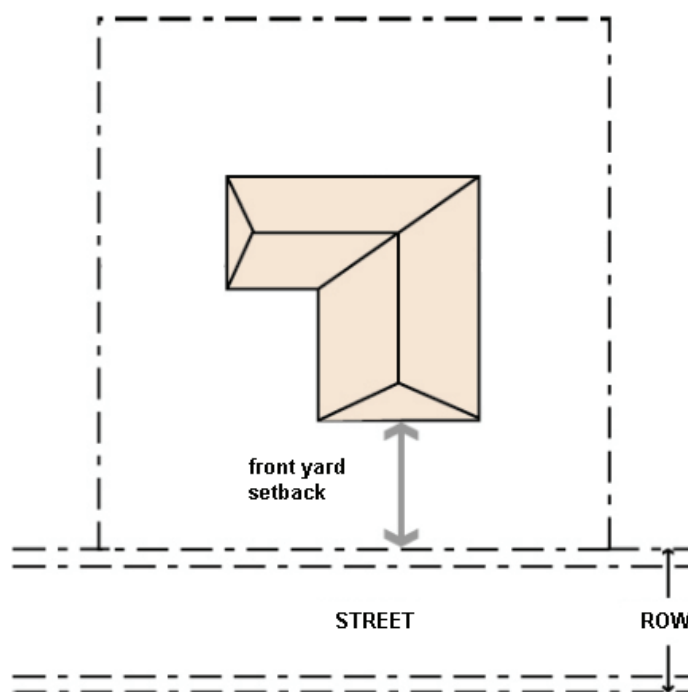
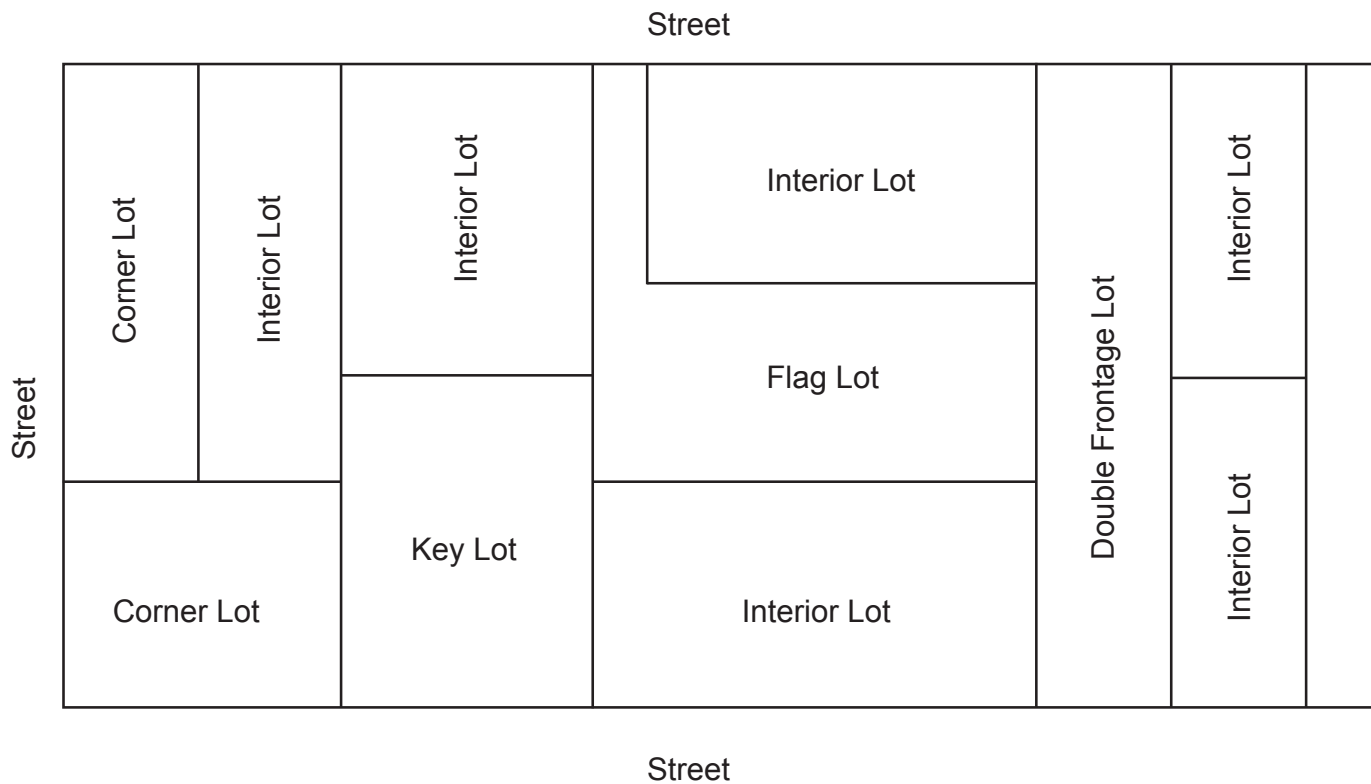


Table 2.16: Front Setbacks

Front Setback Type (measured in feet)	Zoning Districts				
	AG	RS	RSF	LSF	RMF
Front Setback	25	25	25	25	15
Shallow Lot <sup>1</sup>	20	20	20	20	N/A
Flag Lots <sup>2</sup>	N/A	N/A	N/A	N/A	N/A
Garages	25	25	25	25	20
<b>Notes:</b> 1. A shallow lot is defined as a lot less than ninety (90) feet. 2. Setback to be determined by the applicant.					

Figure 2.2: Lot Types

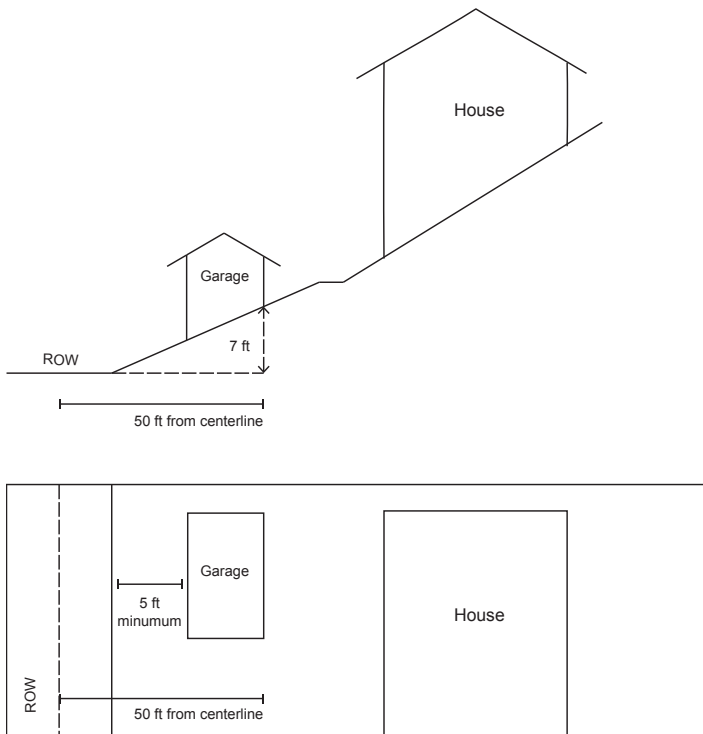




### Sloping Lot Adjustment

In any case where the elevation of the natural grade on a lot at a point fifty (50) feet from the centerline of the adjacent street right-of-way is seven (7) feet above or below the elevation of the centerline, a private garage may be located, at the discretion of the applicant, as close as five (5) feet to the street property line, pursuant to Section 9-1.112 of [the municipal code], provided that portions of the dwelling other than the garage shall be established at the setback otherwise required.

Figure 2.3: Sloping Lot Adjustment



### Variable Setback Block

Where a residential block is partially developed with single-family dwellings having less than the required front setbacks and no uniform front setback is established, the front setback may be adjusted (Section 9-1.112 of the municipal code) at the option of the applicant, as follows:

#### Prerequisites for Adjustment

Adjustment may be granted only when twenty-five percent (25%) of the lots on the block with the same frontage are developed and the entire block is within a single zone.

### Allowed Adjustment

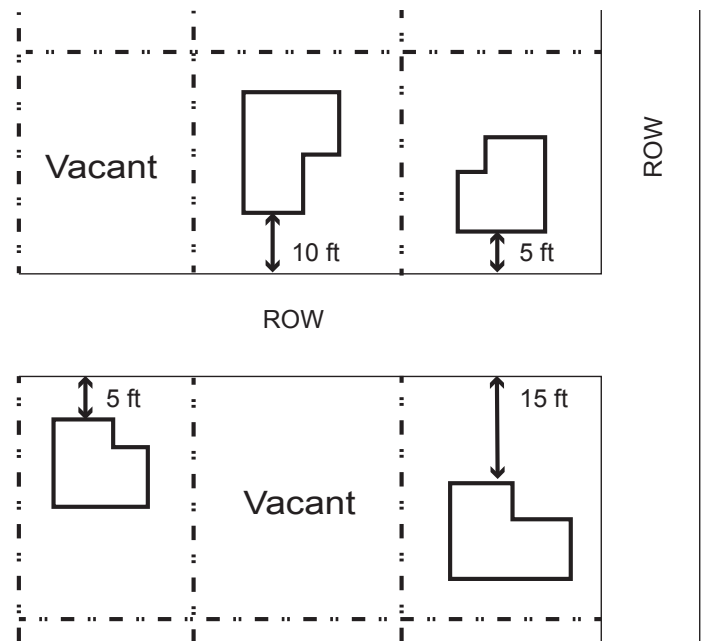
The normally required minimum front setback is to be reduced to the average of the front setbacks of the existing dwellings, which include attached garages but not detached garages, to a minimum of ten (10) feet.

### The Design Review Committee (DRC)

DRC may grant an exemption to the front setback requirement based on neighborhood compatibility for structures that meet the following criteria:

- Structures are no greater than ten (10) feet in height;
- Structures do not exceed front yard coverage of more than fifty percent (50%);
- Structures do not impair sight distances for vehicular traffic as reviewed by the City Engineer.

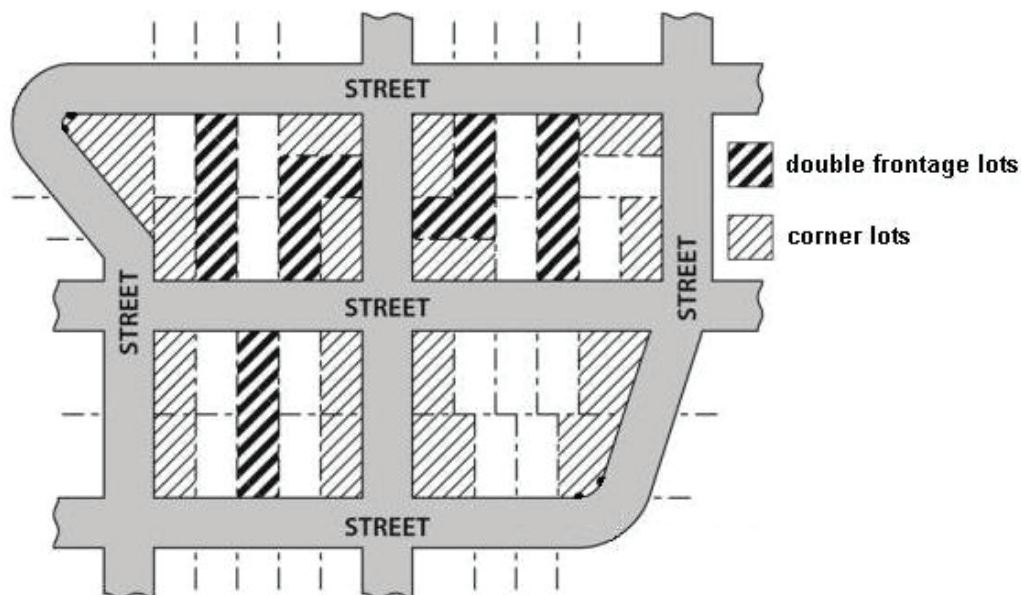
Figure 2.4: Variable Setback



## Double Frontage Lots

### Selecting The Setback Location

Where double frontage setback locations are not specified by subdivision requirements or other applicable regulations, the applicant may select the front setback street unless fifty percent (50%) of the lots on a double frontage block are developed with the same front yard orientation. In that case, all remaining lots are to orient their front setbacks with the majority.



### Double Frontage Setback Requirements

A full-front setback is to be provided adjacent to one frontage, and a setback of one-half (1/2) the required front setback depth adjacent to the other frontage.

**Figure 2.5: Double Frontage Lots**

#### 2.7.1.B Side Setbacks (AMC 9-4.107)

The side setback is measured at right angles to the side property line to form a setback line parallel to the side property line, which extends between the front and rear setback areas.

#### ***A, RS, RSF, LSF & RMF Zones & Residential Uses***

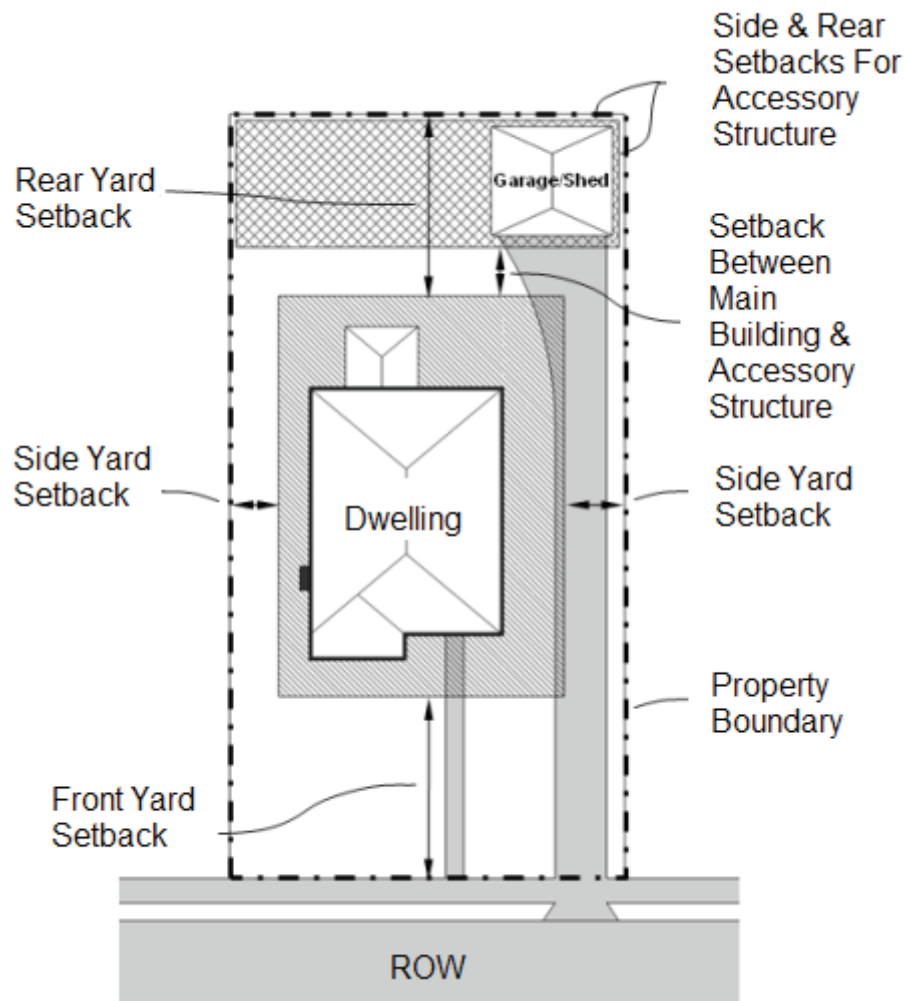
All residential uses except for second story dwellings over commercial and industrial uses shall have a minimum side setback as follows:

Table 2.17: Side Setbacks

Side Setback Type (measured in feet)	Zoning Districts				
	AG	RS	RSF	LSF	RMF
Side Setback	5	5	5	5	5
Corner lot <sup>1</sup>	10	10	10	10	10
Key lot <sup>1</sup>	10	10	10	10	10
Accessory Building <sup>2</sup>	3	3	3	3	3
Access Easement	5	5	5	5	5

**Notes:** 1. When the corner lot is less than 50 feet in width. When an alley is between the corner lot and a key lot, the street side setback of the corner lot is to be five (5) feet.  
2. When the structure is less than 12-feet in height, not for human habitation, or the keeping of animals, and is located on the rear half of the property.

Figure 2.6: Side Yard Setbacks

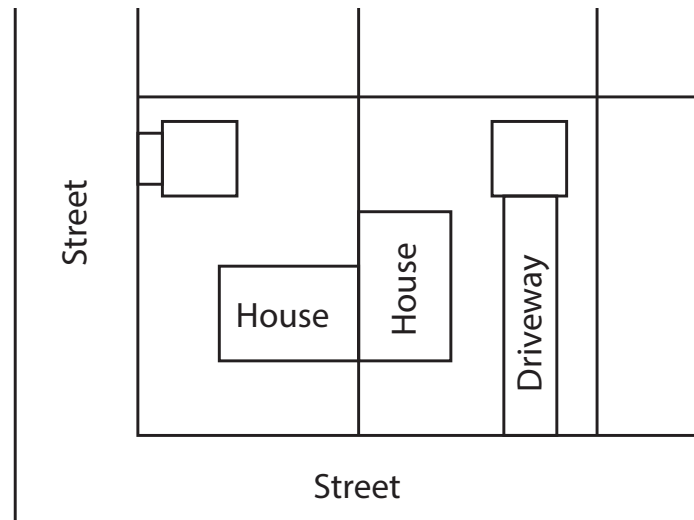


### Common Wall Development

Any two (2) dwelling units, and/or their accessory garages, may be constructed on adjoining lots without setbacks between them provided that:

- The setback has been eliminated through subdivision map or conditional use permit approval;
- A common wall or party wall agreement, deed restriction or other enforceable restriction has been recorded;
- The side setbacks opposite the common wall property line are not less than two (2) times the minimum width required by this section; and
- Common wall construction is in compliance with the Uniform Building Code.

Figure 2.7: Common Wall Development

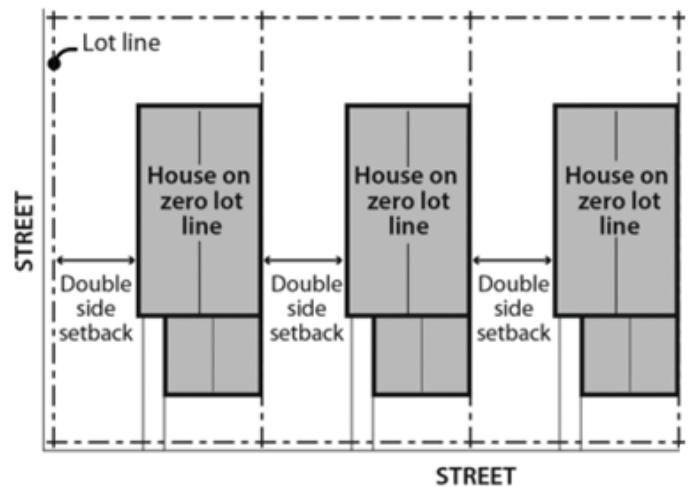


### Zero Lot Line Development

A group of dwelling units on adjoining lots may be established so that all units abut one (1) side property line provided that:

- The setback has been eliminated for an entire block through subdivision map or conditional use permit approval;
- The modified setback requirements for the block are recorded as part of a land division map, deed restriction, or other enforceable restriction;
- The side setback shall not be eliminated or reduced on the street side of a corner lot; and
- Side setbacks opposite the zero setback property line are not less than twice the minimum required by this section.

Figure 2.8: Zero Lot Line Development



### 2.7.1.C Rear Setbacks (AMC 9-4.108)

The rear setback is measured at right angles to the rear property line to form a setback line parallel to the rear property line.

#### *A, RS, RSF, LSF, & RMF Zones & Permitted Ground Floor Residential Uses in Commercial & Industrial Zones*

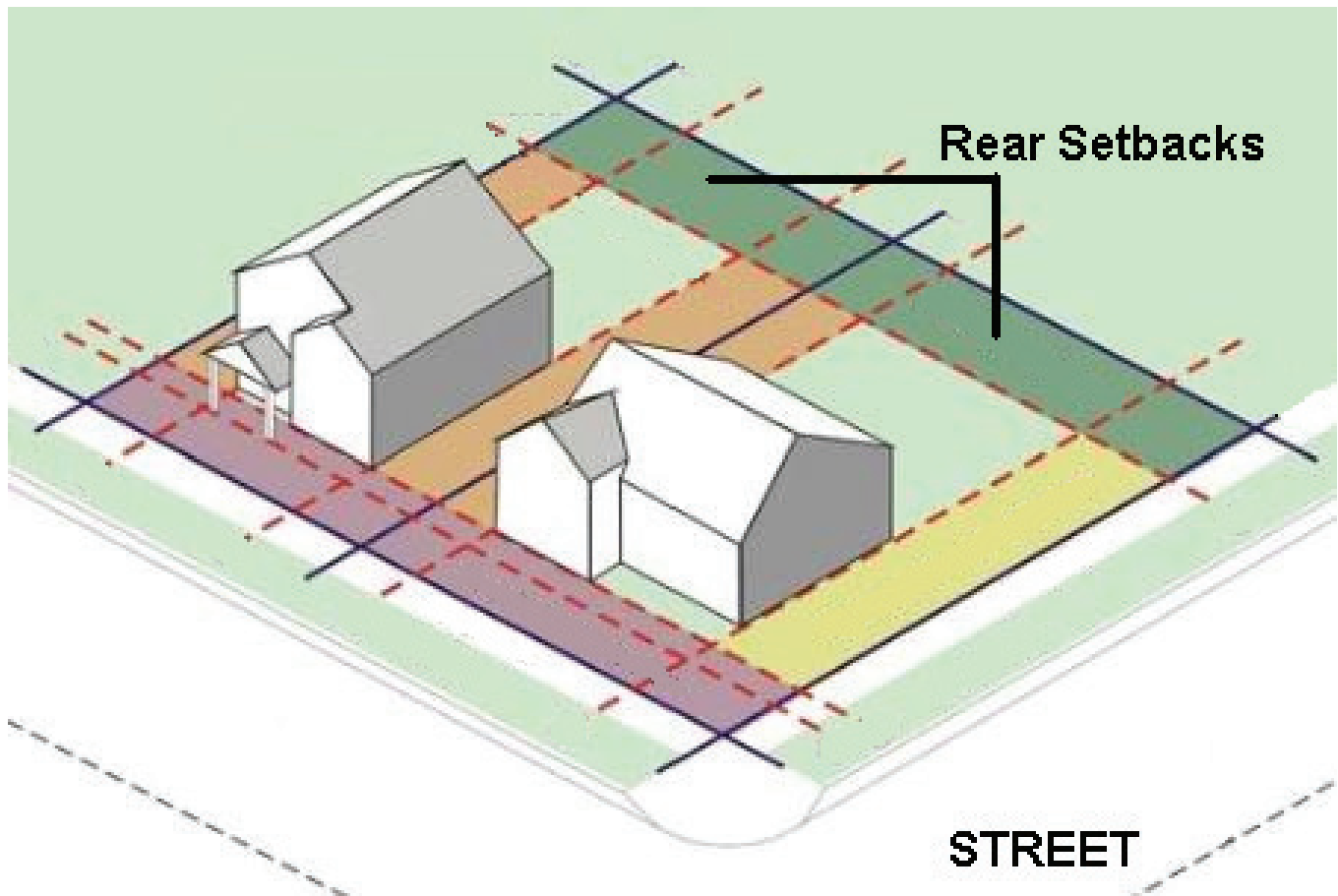
All residential uses except for second story dwellings over commercial and industrial uses shall have a minimum rear setback as follows:

**Table 2.18: Rear Setbacks**

Rear Setback Type (measured in feet)	Zoning Districts				
	AG	RS	RSF	LSF	RMF
Rear Setback	10	10	10	10	10
Accessory Building <sup>1</sup>	3	3	3	3	3

**Notes:** 1. When the structure is less than 12-feet in height, not for human habitation, or the keeping of animals, and is located on the rear half of the property and is not located to the street of a corner lot adjacent to a key lot.

**Figure 2.9 Rear Setbacks**





### 2.7.1.D Interior Setbacks & Open Areas (AMC 9-4.109)

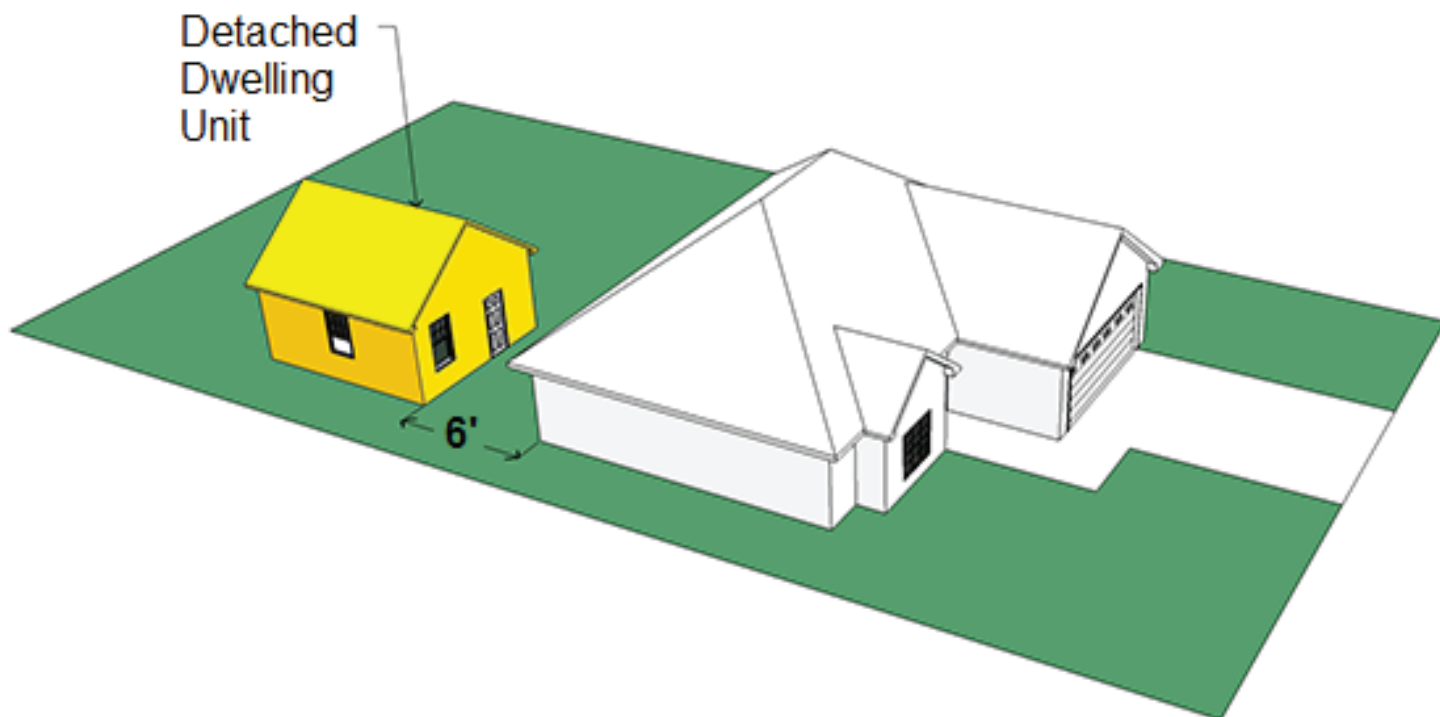
Detached buildings located on the same site are to be separated as follows:

**Table 2.19: Interior Setbacks**

Interior Setback Type (measured in feet)	Zoning Districts				
	AG	RS	RSF	LSF	RMF
Accessory Buildings <sup>1</sup>	6	6	6	6	6
Residential Buildings	10	10	10	10	10

**Notes:** 1. Or as required by the building code.

**Figure 2.10: Interior Setbacks**



### Exemptions

The following accessory structures are exempt from the provisions outlined in this section:

- a) Decks;
- b) Patio covers and landscape structures;
- c) Structures under one hundred twenty (120) square feet when exempt from a building permit based on the adopted Building Code and consistent with the standards set forth in Section 9-6.106(b)(3);
- d) Similar accessory structures as determined by the Community Development Director.

### 2.7.1.E Projections Into Required Setbacks (AMC 9-4.110)

The setback requirements of are modified as follows:

#### **Uncovered Decks**

When constructed higher than thirty (30) inches above the surrounding finish grade, a wood deck may extend into required setbacks as follows (decks less than thirty (30) inches high are exempt from these requirements—See Section 9-4.104(c)):

#### Front Setback

A deck is not to be located therein.

#### Side Setback

As determined by the Uniform Building Code.

#### Rear Setback

A deck may occupy up to thirty percent (30%) of a required rear setback, but is to extend no closer than three (3) feet to the rear property line.

#### **Fire Escapes**

A ladder or stairs designed to be used exclusively as an upper floor fire escape may project into a required setback only as provided by the Uniform Building Code.

#### **Roof & Wall Features**

Cantilevered and projecting architectural features including chimneys, bay windows, balconies, cornices, eaves, rain gutter, signs (where allowed), display windows, and solar collectors may project into a required setback only as allowed by the Uniform Building Code.

#### **Porches**

#### Front Porch

A covered front porch may project up to six (6) feet into a required front setback, provided that the floor level of the porch is to be no higher than the ground level of the building. An unenclosed front porch is not limited on its projection, provided it is one hundred (100) square feet or less in area.

#### Side Porch

A porch and/or outside stairway may be located in a required side setback provided the porch is not roofed or enclosed below the steps and does not extend into the side setback more than allowed by the Uniform Building Code.

#### Rear Porch

A porch in the required rear setback is subject to the same limitations as a deck, pursuant to subsection Rear Setback of this section.

#### **Flag Lots**

Six (6) foot fences shall be allowed within the front yard setback area, but in no case shall a six (6) foot fence be allowed within an area connecting the required front yard setback areas for any adjoining lots. Trash enclosures may encroach into the front yard setback area but shall maintain a five (5) foot setback from adjoining property lines and shall not be located within the access strip.

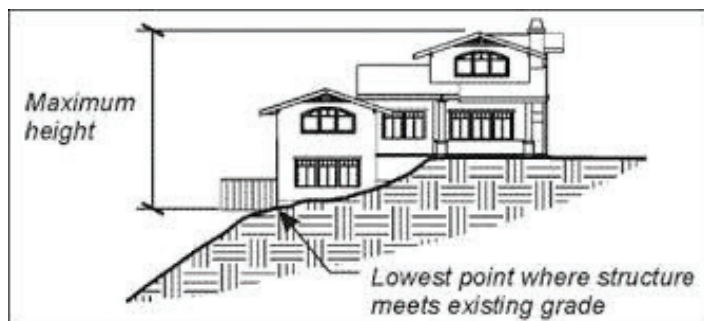
### 2.7.2 Heights (AMC 9-4.111)

The purpose of the following sections is to limit the height of structures as needed to: support public safety; protect access to natural light, ventilation, and direct sunlight; support the preservation of neighborhood character; and to preserve view sheds and scenic vistas.

#### **Measurement Of Height (AMC 9-4.112)**

The height of a building or structure is to be measured as the vertical distance from the highest point of the structure to the average of the highest and lowest points where the exterior walls touch the finish grade.

Figure 2.11: Height Measurements



Height Limitations (AMC 9-4.113)

The maximum height for new structures is as follows:

**2.7.2.A Height Limitation By Zone****Table 2.20: Height Restrictions – Residential**

Zone	Maximum Height
A, RS, RSF, LSF	30 feet
RMF	30 feet (not to exceed two stories)

**2.7.2.B Exceptions To Height Limitations*****Planning Commission Waiver***

The height limitations of this section may be modified through conditional use permit approval, provided the Planning Commission first finds the project will not result in substantial detrimental effects on the enjoyment and use of adjoining properties and that the modified height will not exceed the lifesaving equipment capabilities of the Fire Department.

***Height Adjustment***

The height limitations specified by subsection Limitation By Zone of this section may be adjusted (Section 9-1.112) for a single-family residential building to allow additional height, to a maximum of forty (40) feet, provided that the required side, rear and interior setbacks are increased one (1) foot in width for each foot of height over thirty (30) feet.

***Downhill Lot***

Where the average front-to-back slope of a lot is greater than one (1) foot of fall in seven (7) feet of distance from the centerline of the street to the rear face of the proposed building, up to ten (10) feet may be added to the rear building face, which is to be excluded from the height measurement (Section 9-4.112).

***Uninhabited Structures***

The height restrictions do not apply to the following structures (measurement of height is to be from the ground, as set forth in Section 9-4.112):

- Radio and television receiving antennas of the type customarily used for home radio and television receivers, when fifty (50) feet or less in height.
- Transmitting antennas used by licensed amateur (ham) radio operators when fifty (50) feet or less in height.
- Flagpoles fifty (50) feet or less in height.
- All portable construction equipment.
- Public utility poles and structures for providing electrical and communications services.
- Solar collectors not more than five (5) feet above the height limit specified in subsection Limitation By Zone of this section.
- Satellite receiving and similar communication dishes and devices in commercial and industrial zones, when no more than ten (10) feet above the maximum height in the zone.

**2.7.3 Parking & Loading (AMC 9-4.114)**

Parking and loading standards are intended to: minimize street congestion and traffic hazards; provide safe and convenient access to businesses, public services, and places of public assembly; and to make the appearance of parking areas more compatible with surrounding land uses. Parking and loading standards are in the following sections:

**2.7.3.A Off-Street Parking Required (AMC 9-4.115)**

All uses requiring an entitlement shall be provided off-street parking as set forth in this section, except parking lots in the following situations:

***Compact Car Spaces***

Lots with twenty (20) or more spaces may substitute compact car spaces for up to twenty percent (20%) of the total number of spaces. Compact car spaces shall be a minimum of eight (8) by fourteen (14) feet in size. Compact spaces shall be designated by painting the word “compact” or similar, on the surface of the space.

***Motorcycle Parking***

Lots with twenty (20) or more spaces may replace regular spaces with motorcycle spaces at a ratio of one (1) motorcycle space for each twenty (20) spaces. Motorcycle spaces shall be a minimum size of three (3) by six (6) feet. Motorcycle spaces shall be designated by painting the word “motorcycle,” or similar, on the surface of the space.

***Bicycle Spaces***

Lots with twenty (20) or more spaces may substitute a bicycle rack providing space for at least five (5) bicycles at a ratio of one (1) bicycle rack for each twenty (20) spaces. It is recommended that all shopping centers provide some bicycle spaces in the project.

**2.7.3.B On-Street Parking Adjustment**

Where a proposed driveway from a street to a new parking area would eliminate on-street parking spaces equal to or greater in number than the off-street spaces required, the requirement for off-street spaces may be eliminated through adjustment (Section 9-1.112 of this title) where the access or proposed building cannot reasonably be redesigned to avoid a net loss of parking.

**2.7.3.C Planning Commission Modification**

The parking standards of this title may be modified through conditional use permit approval based upon specific findings of fact that the characteristics of a use or its immediate vicinity do not necessitate the number of parking spaces, type of design, or improvements required by this title and that reduced parking will be adequate to accommodate on the site all parking needs generated by the use.

**2.7.3.D Location Of Parking On A Site (AMC 9-4.116)**

Required parking spaces may be located as needed on a proposed site, subject to the design and construction standards of Sections 9-4.117 and 9-4.119 of this chapter and the following:

***Use Of Front Setback***

Required parking spaces are not to be located within the required front setback.

***Use Of Side & Rear Setbacks***

Side and rear setbacks may be used for vehicle parking except on the street side of a corner lot and except where landscaping is required by Section 9-4.125 of this chapter.

**2.7.3.E Parking Design Standards (AMC 9-4.117)**

All off-street parking areas shall be designed and improved as set forth in this section.

***Parking Space & Aisle Dimensions***

All off-street automobile parking spaces are to be a minimum of nine (9) by eighteen (18) feet in size, except for compact car spaces, handicapped spaces, motorcycle spaces, and bicycle spaces (Section 9-4.115). Parking lot aisles shall be as follows:

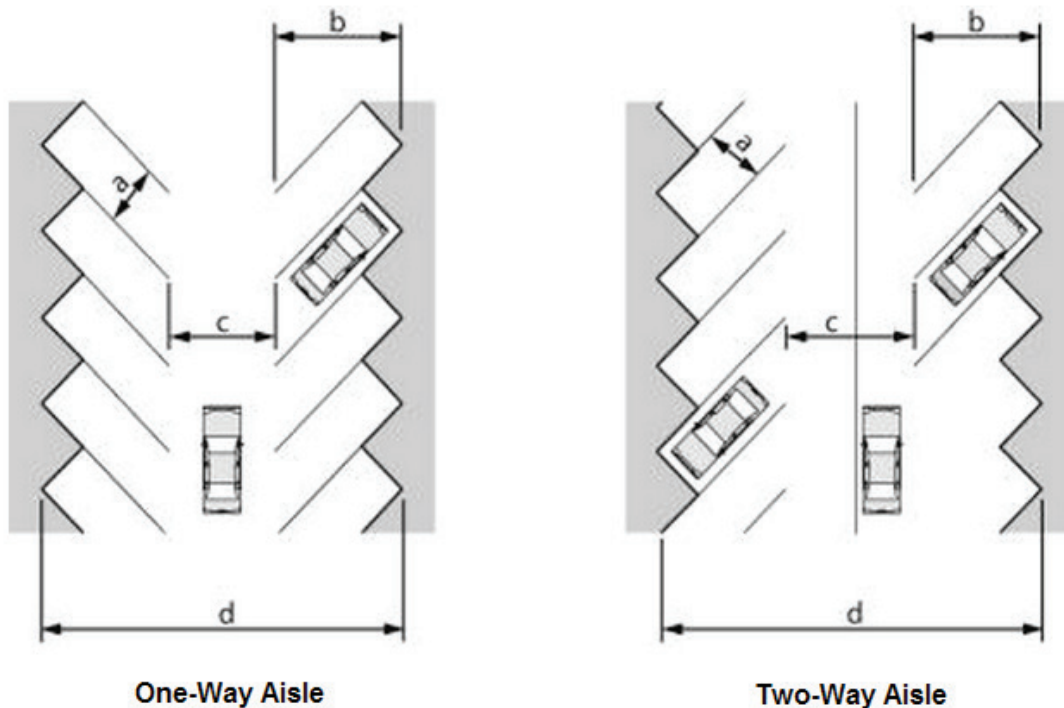
**Angle Parking**

The aisle dimensions for angle parking are to be based upon the angle and width of the parking space as set forth in the following chart. The use of a wider parking space enables reducing the aisle width, as shown.



**Table 2.21: Parking Space Dimensions Based On Angle**

Angle	Space Width (a)	Space to Curb (b)	Aisle <sup>1</sup> (c)	Tier <sup>2</sup> Width (d)
90 degree	8' — 0" <sup>3</sup>	14' — 0"	20' — 0"	52' — 0"
	9' — 0"	18' — 0"	24' — 0"	60' — 0"
	10' — 0"	18' — 0"	22' — 0"	58' — 0"
60 degree	8' — 0" <sup>3</sup>	16' — 0"	14' — 0"	48' — 0"
	9' — 0"	20' — 0"	18' — 0"	58' — 0"
	10' — 0"	20' — 8"	16' — 0"	57' — 4"
45 degree	8' — 0" <sup>3</sup>	15' — 6"	12' — 0"	43' — 0"
	9' — 0"	19' — 0"	16' — 0"	54' — 0"
	10' — 0"	20' — 0"	14' — 0"	54' — 0"
1. Aisle widths for forty-five (45) degree and sixty (60) degree spaces are one-way only. 2. Tier means two (2) rows of parking spaces, plus an aisle. 3. Compact car spaces only, see Section 9-4.115(a) of this chapter.				

**Figure 2.12: Parking**



### Parallel Parking

Space dimensions are to be nine (9) by twenty-two (22) feet. Aisle dimensions for parallel parking are to be twelve (12) feet for one-way aisles, and twenty-four (24) feet for two-way aisles.

### Access Drive Location

A driveway from a street to a parking area with four (4) or more spaces is to be located and designed as follows:

#### *Distance From Street Corner*

Parking area driveways are to be located a minimum of fifty (50) feet from the nearest street intersection, as measured from the centerline of the driveway to the nearest travel lane of the intersecting street.

#### *Number Of Driveways*

Entrance and exit driveways crossing the street property line of a single site are to be limited to two (2) along the frontage of any single street except properties in excess of five hundred (500) feet of frontage may have one additional drive for each two hundred fifty (250) feet. Driveways on the same property are to be separated by a minimum of fifteen (15) feet.

#### *Driveway Design*

Driveways shall be designed to provide for entrance and exit in a forward direction and to avoid backing directly into public streets.

### Drop-Off Points Required

Parking areas for public assembly facilities shall include a designated on-site location for dropping off passengers at an entrance to the facility in advance of parking the vehicle. Drop-off points are to be provided for: hotels and motels; schools with fifty (50) or more students; churches with a capacity of one hundred (100) or more; restaurants with a capacity of fifty (50) or more customers; public transportation terminals;

places of public assembly; public buildings; and offices larger than five thousand (5000) square feet.

### Tandem Parking

Each space in a parking lot, area or garage is to be individually accessible, except that automobiles may be parked in tandem in the following situations:

- a) In a parking area serving a single-family dwelling or individual mobile home where the tandem parking is not more than two (2) cars in depth; provided that both spaces are for the same dwelling, and are not located in a required front setback.
- b) In a public garage or public parking area where all parking is performed by attendants at all times, or for public assembly facilities and temporary events where user arrivals and departures are simultaneous and where parking is attendant-directed.
- c) For all-day employee parking lots restricted to employee use, provided that required aisle widths are maintained, and no more than fifty (50) percent of the employee spaces are designed for tandem use.

### **2.7.3.F Required Number Of Parking Spaces (AMC 9-4.118)**

All land uses requiring approval under this title shall provide off-street parking spaces as specified in subsections Company Vehicles and Parking Requirements By Land Uses of this section:

#### ***Use Of Charts***

The charts in subsection Parking Requirements By Land Uses of this section determine the number of parking spaces required for each use of land, as follows:



## Parking Requirements By Land Uses

### Agricultural Uses

**Table 2.22: Parking Requirements For Agricultural Uses**

Types of Use	Parking Spaces Required
Ag processing: packing and processing	1 per 1,000 square feet of use area
Wineries	1 per 1,000 square feet of active use area and 1 per 3,000 square feet of storage, and 1 per 100 square feet of tasting room
Animal husbandry, farm equipment, and supplies	1 per 500 square feet of floor area, and 1 per 1,000 square feet of outdoor use
Exceptions: Improved off-street parking and loading spaces are not required for an agricultural use, as long as sufficient usable area is provided to meet the parking needs of all employees, visitors and loading activities entirely on the site of the use.	

### Cultural, Educational, & Recreation Uses

**Table 2.23: Parking Requirements For Cultural, Educational, & Recreation Uses**

Types of Use	Parking Spaces Required
Public Assembly:	
Exhibit facilities (including museums)	1 per 150 square feet of exhibit floor
Seated spectator facilities (including a church, theater, other auditoriums and meeting halls, sports assembly)	1 per 4 fixed seats, or 1 per 40 square feet of spectator area if seats not fixed
Schools:	
Preschools, day care	For facilities with six (6) or less children, no requirement other than that normally required for a residence; for facilities with seven (7) to twelve (12) children, an off-street drop-off area is to be provided with the capability to accommodate at least two (2) cars, in addition to the parking normally required for the residence; to be established through conditional use permit approval for facilities with more than ten (10) children.
Elementary and high school	Off-street parking is to be provided at a ratio of two (2) spaces for each classroom, and one space for one hundred (100) square feet of administrative or clerical office space. Except that where Section 9-4.114 would require more spaces for an on-site auditorium, stadium, gymnasium or other public or sports assembly facility, the larger number of spaces is to be provided.



Business and vocational	Off-street parking is to be provided at a ratio of one space per seat in the largest classroom or instructional area, in addition to spaces required for any proposed auditorium by Section 9-4.114.
College and University	As determined by Planning Commission

## Residential Uses

**Table 2.24: Parking Requirements For Residential Uses**

Types of Use	Parking Spaces Required	
Single-family dwellings (including mobile homes)	2 per dwelling, except 1 per dwelling is required where the site is less than 4,000 square feet in area	
Multifamily dwellings (including condominiums and other attached ownership dwellings)	Residential Parking	1 bedroom unit: 1.5 spaces 2 bedroom unit: 2.0 spaces each additional bedroom: 0.5 space
	Guest Parking	1 space per 5 units, or fraction thereof
Group quarters (including boarding houses, rooming houses, dormitories, and organizational houses)	1 per bed, plus	
	1 per eight beds	

## Resource Uses

**Table 2.25: Parking Requirements For Resource Uses**

Types of Use	Parking Spaces Required
Extraction Uses	No improved parking is required, provided that sufficient usable area is available to accommodate all employee and visitor vehicles entirely on the site.

### 2.7.3.G Lining & Marking

Parking spaces in paved parking areas shall be marked with paint striping, a minimum of two (2) inches in width. Parking spaces in other types of lots may be identified by wheel stop barriers.

### 2.7.3.H Wheel Stops

Wheel stops or continuous concrete or asphalt curbing are required in all parking lots to define the perimeter of the parking area and to protect landscaping from vehicle encroachment. In addition, wheel stops are required for each parking space in a high turnover parking lot. Wheel stops shall be provided as follows:

### Materials and Installation

Wheel stops shall be constructed of concrete, continuous concrete curbing, asphalt, timber, or other durable material not less than six (6) inches in height, or an approved functional equivalent. Wheel stops are to be securely installed and maintained as a safeguard against damage to adjoining vehicles, machinery or abutting property.

### Setback

Wheel stops or other vehicle barriers shall be located approximately three (3) feet from the front of the parking space.



### Functional Equivalent

Wherever possible, functional equivalents in the form of raised sidewalks or curbs surrounding planters or similar may be used in lieu of wheel stops.

#### 2.7.3.I Vertical Clearance

Covered parking spaces are to have a vertical clearance of at least seven (7) feet six (6) inches above the parking lot surface for all uses, except residential.

#### 2.7.3.J Slope

The finished grade of a parking lot is not to exceed five percent (5%) slope, unless approved by adjustment (Section 9-1.112 of this title).

#### 2.7.3.K Landscaping

A minimum of ten percent (10%) of the interior of all parking lots shall be landscaped, in addition to any perimeter landscaping required by the Screening section below. Shade trees are to be provided at approximately thirty- (30) foot intervals along parking rows. Landscape fingers shall be a minimum of six (6) feet wide shall be provided every eight (8) parking spaces. These landscaping requirements do not apply to parking lots that are underground or within buildings.

### 2.7.4 Driveway Standards For Single-Family Residential Uses (AMC 9-4.123)

Driveways for single-family residences shall be improved as follows in order to make adequate provision for access including that necessary for emergency vehicles.

**Table 2.26: Single Family Driveway Standards**

Driveway Standards for Single Family Residences <sup>1</sup>		
Criteria	Requirements	
Surfacing	Slopes 11% or less	All-weather surface
	Slopes 12% or 20%	Asphalt, concrete or chip seal
	Slopes 20% or more	Not allowed <sup>2</sup>
Width	Minimum 12-feet	
Vertical Clearance	Minimum 14-feet	
<b>Notes:</b> 1. Additional Fire Department Requirements may be applicable; 2. A variance may be applied for as an appeal		

### 2.7.5 Landscaping, Screening, & Fencing (AMC 9-4.124)

The purposes of landscaping, screening, and fencing standards are to: provide areas on sites which can absorb rainfall to assist in reducing storm water runoff; control erosion; reduce glare and noise; enhance the appearance of structures and property; and to provide visual privacy.

#### 2.7.5.A Fencing & Screening (AMC 9-4.128)

Standards for fencing and screening are established by this section to protect certain uses from intrusion, to protect the public from uses that may be hazardous, and to increase compatibility between different land uses by visual screening. Fencing is the enclosure of an area by the materials identified in subsection Standards For Fencing And Screening Materials of this section. Screening is the enclosure of an area by a visual barrier, which may include solid fencing or other materials, as specified in subsection Standards For Fencing And Screening Material of this section.

### 2.7.5.B Fencing & Screening—Where Required

Within the urban services line, the uses and areas listed in this subsection shall be fenced and/or screened, as indicated. Unless otherwise specified, fencing and screening are to be a minimum height of six (6) feet. Fencing and screening materials of a height greater than three (3) feet shall not be located within a required front setback or side setback adjacent to a street.

**Table 2.27: Fencing & Screening - Residential**

Fencing & Screening – Mechanical Equipment		
Type	Requirements	Max Height (in feet)
Roof-Mounted Equipment	Screened by architectural features from the view of abutting street	N/A
Equipment At Grade	Landscaping / Solid Wall from view of street and surrounding properties	N/A
Outdoor Storage	Screened all sides by wall or fence	6
Swimming Pool	Solid wall or fence as required by CA Building Code	6

### 2.7.5.C Exceptions To Fencing And Screening Requirements

#### ***Buildings Abutting Property Lines***

Required screening or fencing may be omitted along any lot line where a building wall exists immediately abutting the lot line.

#### ***Location Adjustment***

Where property fencing or screening is required, the location may be adjusted (see Section 9-1.112 of this title), so the fencing may be constructed at or within the setback line, provided the areas between the fence and the property lines are landscaped, or in rural areas, retained in their natural vegetative state.

### ***Planning Commission Modification***

Any of the requirements of this section may be waived or modified through conditional use permit approval, provided the Planning Commission first finds that specifically identified characteristics of the site or site vicinity would make required fencing or screening unnecessary or ineffective.

### 2.7.5.D Standards For Fencing & Screening Materials

All fencing and screening shall be allowed as follows:

#### **Height**

Fence and screen height shall be permitted as follows:





**Table 2.28: Fence Heights**

<b>Fence Heights<sup>1</sup></b>					
(measured in feet)					
<b>Fence Criteria</b>	<b>Zoning Districts</b>				
	<b>AG</b>	<b>RS</b>	<b>RSF</b>	<b>LSF</b>	<b>RMF</b>
<b>Front Yard Fencing</b>					
Lots with 1 net Acre or More <sup>2</sup>	5 <sup>3</sup>	5 <sup>3</sup>	5	5	N/A
Lots with 1 net Acre or Less	5 <sup>3</sup>	5 <sup>3</sup>	4	4	4
Gateposts/ Superstructures	12	12	12	12	12
<b>Side Yard Fencing</b>					
All Fence Types	6	6	6	6	6
<b>Rear Yard Fencing</b>					
All Fence Types	6	6	6	6	6
<b>Notes:</b> 1. Fencing and screening materials shall be measured from the finished grade of the uphill lot. 2. Provided that the top two (2) feet remain a minimum of eighty percent (80%) visibility. 3. Fencing associated with agriculture type activities including, but not limited to, "deer fencing" and other fencing that is a minimum of eighty percent (80%) visible may be up to seven (7) feet in height. Chain link fencing, wrought iron fencing, and any other decorative type of fencing is not considered "agriculture" type fencing.					

### ***The Design Review Committee (DRC)***

DRC may grant an exemption to the front setback fencing requirement to a maximum of six (6) feet in height if proposed fence would be consistent with the neighborhood character and does not impair site distance for vehicular traffic, as reviewed by the City Engineer.

### ***Permit to Exceed Height***

A minor conditional use permit approval is required where fencing is proposed to be greater than six (6) feet in height within or outside any required setback, with the exception of fencing described in subsection Standards For Fencing And Screening Materials and Landscape Screen.

### ***Screening Materials Substitution***

Where screening is required to be a solid wall or fence, the following materials may be substituted through adjustment (see Section 9-1.112 of this title), except where screening is required adjacent to a residential use or zone:

### ***Landscape Screen***

Screening plant materials may be substituted for a wall or fence, where:

- Proposed plant materials are certified in writing by a registered landscape architect as having the capability of achieving sixty percent (60%) of total view blockage within eighteen (18) months of planting, and one hundred percent (100%) of total view blockage within thirty-six (36) months of planting; and
- The applicant agrees in writing to install solid fencing after the expiration of thirty-six (36) months, in the event that the landscaping has not totally blocked the view of areas required to be screened.

### ***Berms***

A landscaped berm may be substituted for a wall or fence, provided that the combination of berm and landscaping is no less than the required height of the fence or wall, and that the berm is constructed with a maximum slope of three to one (3:1), with side slopes

designed and planted to prevent erosion, and with a rounded surface a minimum of two (2) feet in width at the highest point of the berm, extending the length of the berm. The berm shall be planted with shrubs, lawn or groundcover.

#### Chain-Link Fencing

Vinyl-coated, chain-link fencing with evergreen landscape screen planting may be substituted for a solid wall or fence in commercial and industrial zones, except where screening fencing is required adjacent to residential uses and zones.

### **2.7.6 Solid Waste Collection & Disposal**

Within the urban services line, all land uses requiring a zoning approval, except single family dwellings, temporary uses, agricultural uses, and other uses that do not create a need for solid waste pickup and disposal shall provide an enclosed area for the temporary storage of solid waste before disposal truck pickup, as required by this section.

#### ***Collection Area Standards***

##### Location Of Collection Facilities

The solid waste collection area shall be located within one hundred (100) feet of the dwellings or buildings served, but is not to be located in any front yard setback (Section 9-4.106).

##### Enclosure Required

Solid waste collection areas that use dumpsters or other containers with a total capacity greater than two (2) thirty-three (33) gallon containers shall be screened from the view of public streets and adjoining properties by a solid fence or wall as high as the collection container, but not less than three (3) feet nor more than six (6) feet in height.

#### Enclosure Construction Standards

- a) The floor or bottom surface of a solid waste collection area shall be of concrete or other impervious materials.
- b) The collection shall have unobstructed vertical clearance for a minimum height of twenty-five (25) feet.

### **2.7.7 Exterior Lighting (AMC 9-4.137)**

The standards of this section are applicable to all outdoor night-lighting sources installed after the effective date of this title, except for streetlights located within public rights-of-way and all uses established in the Agriculture Zone. An electrical permit may be required by Title 8.

#### ***Illumination Only***

Outdoor lighting shall be used for the purpose of illumination only and shall not be designed for or used as an advertising display, except as provided by Sections 9-4.130 et seq.

#### ***Nondecorative Exterior Lighting Shielded***

All nondecorative exterior lighting shall be shielded to direct light toward buildings or the ground. Light sources shall be designed and adjusted to direct light away from any road or street and away from any property or buildings outside the ownership of the applicant.

#### ***Minimization Of Light Intensity***

No light or glare shall be transmitted or reflected in such concentration or intensity as to be detrimental or harmful to persons or to interfere with the use of surrounding properties or streets.

#### ***Decorative Exterior Lighting Shielded***

Where lights are used for the purpose of illuminating or accenting building walls, signs, flags, architectural features, or landscaping, the light source is to be shielded so as not to be directly visible from off-site.



### ***Ground Illuminating Lights***

Any light source used for ground area illumination except incandescent lamps of one hundred fifty (150) watts or less and light produced directly by the combustion of natural gas or other fuels, shall be shielded from above in such a manner that the edge of the shield is level with or below the lowest edge of the light source. Where any light source intended for ground illumination is located at a height greater than eight (8) feet, the required shielding is to extend below

the lowest edge of the light source a distance sufficient to block the light source from the view of any residential use within one thousand (1,000) feet of the light fixture.

### ***Height Of Light Fixtures***

Freestanding outdoor lighting fixtures shall not exceed the allowed height of the tallest building on the site, pursuant to Section 9-4.111.

## Chapter 3: Secondary Dwelling Units

### 3.1 Purpose (AMC 9-5.010)

This chapter is intended to implement Government Code Section 65852.2, which mandates that the City permit second units in residential zoning districts and which provides that the City may impose certain regulations on the development of second units.

The City recognizes opportunities to implement certain policies and programs of the Atascadero General Plan housing element providing for, and regulating, second units.

Implementation of this chapter is meant to expand housing opportunities for very-low, low and moderate-income and/or elderly households by increasing the number of rental units available within existing neighborhoods. Second units are intended to provide livable housing at lower cost while providing greater security, companionship and family support for the occupants.

As mandated in Section 65852.2 of the Government Code, second units that comply with this chapter are considered not to exceed the density limits prescribed within [the municipal code] for residential zoning districts.

### 3.2 Definitions (AMC 9-5.020)

As used in this chapter:

#### Primary Unit

A primary unit is a single-family dwelling unit on a single-family residential zoned legal lot of record. All other uses and structures on said lot shall be accessory to the primary unit.

#### Second Unit

Second residential units are defined as residential occupancy constructions (R) with a kitchen and full bathroom that is accessory to the primary unit and intended for permanent occupancy by a second household.

#### Guesthouse

Guesthouses are defined as residential occupancy construction (R) with a full bathroom, no kitchen or cooking facilities regardless of number or configuration of rooms and are the same as second units for the purposes of defining use and calculating fees.

#### Granny Unit

Granny units are defined as residential occupancy construction (R) with a kitchen and a full bathroom and are the same as second units for the purposes of defining use and calculating fees.

#### Detached Accessory Structure

A detached accessory structure is a structure located on a residential lot occupied by a primary unit, exclusive of second units.

#### Office/Art Studios

Studios are defined as any type of residential occupancy construction (R) with no kitchens, no overnight stays, cooking facilities and/or no bathing facilities (one (1) water closet is permitted). Studios shall be limited to four hundred fifty (450) square feet. Studios greater than four hundred fifty (450) square feet shall be considered second units. Deed restrictions shall be required for any proposed studio with a water closet limiting the use of the studio.

#### Workshops & Garages

Workshops and garages are defined as utility occupancy constructions (U) with no kitchens, no cooking facilities and/or no residential occupancy requirements (i.e., Title 24). A utility bathroom with shower or any other plumbing may be installed with a deed restriction that limits the building's use to nonresidential purposes. State-approved wood burning appliances are permissible. Attached structures may be permitted consistent with 9-5.060 and 9-6.106 [of the municipal code].



**Residential Additions**

Residential additions (additions) are defined as an increase of habitable floor area to a primary residential unit. Additions shall have a continuous, logical internal connection of conditioned space that provides for access to all portions of the primary unit and addition. Doors may not be used to create two (2) separate living spaces.

The addition shall not have a secondary kitchen; however, a wet bar is permissible as defined by Section 9-5.020(j). Additions must have a minimum ten (10) feet of shared common wall. A breezeway or similar roof connection of unenclosed or unconditioned space, regardless of length, shall not be considered a residential addition.

**Recreational Vehicle**

Recreational vehicles are defined as any vehicle, coach, camper, travel trailer, boat, or similar movable residential facility that does not have a permanent foundation. Recreational vehicles are not permitted to be used as any type of second unit or residential accessory use.

**Wet Bar**

A wet bar is defined as a small counter equipped with a sink for running water consistent with the following:

- a) A wet bar does not include a stove, built-in microwave, dishwasher, or garbage disposal.
- b) A gas line shall not be installed in proximity to a wet bar.
- c) A wet bar sink shall have a single trap drain size limited to one and one-half (1½) inches maximum.
- d) A wet bar shall include a counter with a maximum eight (8) foot length and not to exceed twenty-four (24) square feet of total counter space.

Any deviations from the above standards may be approved by the Planning Commission through the issuance of a Conditional Use Permit.

**3.3 Applicability (AMC 9-5.030)****Permitted Zoning Districts**

Second units shall be allowed in the RS, RSF-Z, LSF-Z, RSF-Y, LSF-Y, RSF-X and LSF-X zoning districts.



## Planned Developments

Second units shall be allowed in single-family planned development overlay districts only when consistent with an approved Master Plan of Development.

### Permit Required (AMC 9-5.040)

A building permit application shall be required for the construction or conversion of any second unit.

## 3.4 General Requirements (AMC 9-6.050)

**Table 3.1: 2<sup>nd</sup> Unit General Requirements**

2 <sup>nd</sup> Unit General Requirements	
Criteria	Requirement
Water Service	Shall be served by public water system (AMWC)
Sewer Service	Required if lots are less than 1 net acre
Septic Systems	Required if lots are greater than 1 net acre and sewer is not available
Utility Meters	May be installed
Garage Conversion	May be converted provided the following: <ul style="list-style-type: none"> <li>a) Replacement of covered off-street parking is provided for primary unit;</li> <li>b) Off-street parking provided for 2<sup>nd</sup> unit;</li> <li>c) Converted garage meets building code requirements for dwelling</li> </ul>
Recreation Vehicle	Not permitted for use as 2 <sup>nd</sup> units

## Guest House

A second unit may not be developed on a lot containing a guest house (separate living quarters without kitchen facilities). However, a guest house may be converted to a second unit, provided that it complies with the regulations set forth in this chapter and with the regulations for the underlying zoning district.

## Nonconforming Use

Only one second unit shall be permitted on a lot. If a lot contains two single-family dwelling units that were legally established as a nonconforming use, a third dwelling unit, to be considered a second unit, shall not be permitted.

## Illegal Second Unit

The establishment or continuance of a second unit contrary to the provisions of this chapter is declared to be unlawful and shall constitute a misdemeanor and a public nuisance.)

## 3.5 Development Standards (AMC 9-6.060)

Second units shall be subject to all development standards of the RS, RSF-Z, LSF-Z, RSF-Y, LSF-Y, RSF-X, or LSF-X zoning districts and/or planned development overlay districts in which the property is located, except as modified in this section.



**Table 3.2: 2<sup>nd</sup> Unit Development Standards**

<b>2<sup>nd</sup> Unit Development Standards</b>	
<b>Standard</b>	<b>Requirement</b>
Floor Area	Shall be served by public water system (AMWC)
Height	30-feet
Setback	Front Setback – 25 feet Side Setback – 5 feet Rear Setback – 10 feet
Building Separation	10-feet between primary unit and a detached unit
Parking <sup>1,2</sup>	a) One (1) covered space for the 1 <sup>st</sup> bedroom; b) One (1) covered + one (1) uncovered for more than two (2) bedrooms c) Primary dwelling with a three (3) car garage may allow one (1) bay and the driveway space in front of the bay to meet parking requirements
Unconditioned Spaces	Not permitted for use as 2 <sup>nd</sup> units
Attached Garages / Workshops <sup>3</sup>	Maximum 500 square feet
Architectural Design	Compatible with the design and scale of primary dwelling
<p><b>Notes:</b> 1. Parking spaces for second units may not occupy driveways and back-up areas that serve garages for the primary dwelling, nor may they occupy circular drives or hammerhead turnarounds that serve the primary unit (which are intended to provide means by which vehicles can enter a street head-first).</p> <p>2. If the lot takes access from a collector or arterial street, as designated in the circulation element of the general plan, parking for second units shall be designed so that vehicles exit forward into the street.</p> <p>3. Any additional unconditioned space in excess of five hundred (500) square feet, or any garage area not provided with direct interior access to the second unit, shall no longer be considered accessory to the second residential unit.</p>	

### Private Open Space Requirement

A second unit shall have a minimum private open space area of two hundred fifty (250) square feet. This required open space shall not be located within a required front yard setback. No portion of an open space area shall have a dimension of less than ten (10) feet in width.

### Attached Second Units

If the second unit is attached to the primary dwelling, each shall be served by separate outside entrances. The interior wall(s) of an attached unit which separate it from the main unit shall be fire-rated according to the most recent Building Code.

### 3.6 Development Fees (AMC 9-6.070)

Second units, whether attached or detached, shall be considered as single-family units for purposes of determining capital facility impact fees.

## Chapter 4: Non-Residential Development

### 4.1 Zoning Districts Established (AMC 9-3.102)

The following zoning districts are established:

Non-Residential zoning districts:

- 1) Commercial Neighborhood—CN;
- 2) Commercial Professional—CP;
- 3) Commercial Retail—CR;
- 4) Commercial Service—CS;
- 5) Commercial Tourist—CT;
- 6) Commercial Park—CPK;
- 7) Downtown Commercial – DC;
- 8) Downtown Office – DO;
- 9) Industrial Park—IP;
- 10) Industrial—I;
- 11) Recreation—L;
- 12) Special Recreation—LS;
- 13) Public—P;
- 14) Open Space – OS.

### 4.2 Non-Residential Zoning Districts (AMC Chapter 3, Article 3)

The purposes of the individual non-residential zoning districts and the manner in which they are applied are as follows:

#### CN (Commercial Neighborhood) Zoning District

This zone is established to provide for small scale retail shopping and personal service facilities at the neighborhood level. The Commercial Neighborhood Zone is situated and designed to serve the limited shopping and service needs of the immediately surrounding residential area.

#### CP (Commercial Profession) Zoning District

This zone is established to provide for offices and limited retail shopping and personal service facilities along arterials and major collectors. The Commercial Professional Zone is situated to serve streets with

higher traffic volumes while also serving to provide a compatible transition between such streets and adjacent single family residential areas.

#### CR (Commercial Retail) Zoning District

This zone is established to provide for a wide range of commercial uses to accommodate most of the retail and service needs of the residents of the City and surrounding areas.

#### CS (Commercial Service) Zoning District

This zone is established to provide for light manufacturing and large lot service commercial needs of the residents of the City and surrounding areas.

#### CT (Commercial Tourist) Zoning District

This zone is established to provide for limited commercial uses intended primarily to serve the public traveling along Highway 101.

#### CPK (Commercial Park) Zoning District

This zone is established to provide for large lot commercial and light manufacturing uses. It is intended that special attention be given to providing for comprehensive development plans to achieve appropriate functional relationships between various uses and preclude “piecemeal” development of existing larger lots.

#### DC (Downtown Commercial) Zoning District

The Downtown Commercial (DC) Zoning District is intended to enhance the economic viability and pedestrian-oriented character of the downtown by encouraging a wide range of retail shops, including artisan craft sales and production; Restaurants, entertainment facilities, lodging, and non-automotive services (banks, health care, etc.); First floor office uses are allowed with storefront and signage appearance review and approval of the Design Review Committee (DRC); however, office uses are encouraged to locate on upper floors leaving prime first floor spaces available for retail and restaurant spaces; and Residential uses on upper floors.



### **DO (Downtown Office) Zoning District**

The Downtown Office (DO) Zoning District is intended to apply to properties that border the DC District, where a wide variety of professional and other office uses will encourage a weekday pedestrian flow that can take advantage of the restaurant and shopping opportunities in the overall downtown area.

### **IP (Industrial Park) Zoning District**

This zone is established to provide for the light manufacturing and large lot service commercial needs of the residents of the City and surrounding areas.

### **I (Industrial) Zoning District**

This zone is established to provide suitable locations for heavy manufacturing and industrial uses within the City.

### **L (Recreation) Zoning District**

This zone is established to provide suitable locations and standards for the development of recreational facilities accommodating the needs of the general public.

### **LS (Special Recreation) Zoning District**

This zone is established to provide suitable locations and standards for the development of recreational facilities on land in private ownership. This zone also

provides for residential and agricultural uses where intensive recreational activity may not be appropriate.

### **P (Public) Zoning District**

This zone is established to provide suitable locations and standards for the maintenance and development of public and quasi-public facilities and services.

### **OS (Open Space) Zoning District**

This zone is established to cover areas with environmentally sensitive natural or cultural resources and generally is intended to remain free of structures but may be developed with low intensity recreational improvements, where appropriate.

## **4.3 Non-Residential District Allowable Land Uses (AMC 9-3.330)**

Table 4-1 and 4-2 identifies the uses of land allowed in this Zoning Code in each non-residential district, and the planning permit required to establish each use, in compliance with Section 9-1 and Section 9-2 of these code. Where the last column in the tables ("Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use. Provisions in other sections of this article may also apply.

Table 4.1: Non-Residential Uses

Allowed Land Uses & Permit Requirements	A    Allowed Use, Zoning Clearance Required CUP   Conditional Use Permit Required AUP   Administrative Use Permit Required <input type="checkbox"/> Not Permitted										
Use	Permitted Uses By Zones										Special Use Regulation(s)
	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	
Agricultural Resources											
Agricultural Produce Stands	A	A			A	A					9-6.117
Farm Equipment & Supplies			A	A		A			A	A	
Farmers Market	CUP	CUP	CUP		CUP	CUP	A	A			
Horticultural Specialties		A	A	A	A	A					9-6.116
Large Scale Ag Manufacturing				CUP					CUP	A	9-6.103
Livestock Specialties		A	CUP								9-6.115
Residential Uses											
Age Restricted Housing							CUP				
Care Taker’s Residence / Employee Unit		CUP	CUP	CUP							
Live/Work Unit							A <sup>3</sup>				
Multi-Family Dwellings	CUP <sup>1</sup>	CUP <sup>2</sup>	CUP <sup>1</sup>	CUP <sup>2</sup>			A <sup>3</sup>	A <sup>3</sup>			
Single-Family Dwellings			CUP <sup>4</sup>			CUP <sup>4</sup>	A <sup>3</sup>	A <sup>3</sup>			
Single-Room Occupancy Units			CUP								9-6.184
Recreation, Education, & Public Assembly											
Amusement Services		CUP	CUP	CUP		A				A	
Churches & Related Activities		CUP	CUP								9-6.121
Indoor Recreation Services		CUP	CUP	CUP	A	A	A		CUP	CUP	
Libraries, Museums		A	A	A	A		A	A			
Membership Organizations			A	A		CUP	CUP				
Outdoor Recreation Services			CUP	CUP	A						9-6.123
Parks & Playgrounds							A	A			
Public Assembly & Entertainment			CUP	CUP	A	CUP	CUP				
Schools-Business & Vocational		A	A	A		A	CUP	CUP	CUP	CUP	9-6.125
Schools		A	A	A			CUP	CUP			9-6.125





Allowed Land Uses & Permit Requirements	A    Allowed Use, Zoning Clearance Required										
Non-Residential Zones	CUP   Conditional Use Permit Required										
	AUP   Administrative Use Permit Required										
	<input type="checkbox"/> Not Permitted										
Use	Permitted Uses By Zones										Special Use Regulation(s)
	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	
Recreation, Education, & Public Assembly											
Social & Service Organizations		A	A	A							
Sports Assembly			CUP	CUP	A						
Temporary Events			A	A	A	A			A	A	9-6.177
Tourism, Lodging, & Dining											
Bar/Tavern			CUP		CUP	CUP	A				
Bed & Breakfast			CUP	CUP	CUP	CUP					
Drive-Through Sales Or Services	CUP	CUP	CUP	CUP	CUP	CUP					9-4.122
Eating&Drinking Places	A	A	A	A	A	A	A				
Hotels, Motels		CUP	A	A	A		CUP				
Microbrewery - Brewpub	A	CUP	A	A	A	A	A			CUP	
Recreational Vehicle Parks					A						9-6.180
Tasting Room	A	CUP	A	A	A	A	A			CUP	
Retail Trade and Sales <sup>6</sup>											
Accessory Storage		A	A	A	A	A			A	A	9-6.103
Adult Oriented Business			A	A					A	A	9-16
Artisan Foods and Products			A	A		A	A <sup>5</sup>		A	A	
Auto Dealers (New & Used) & Supplies			CUP	CUP	CUP	CUP	CUP				9.6.163
Building Materials & Hardware		A	A	A		A			A	A	9-6.165
EV Charging Sites	A	A	A	A	A	A	A	A	A	A	
Fuel Dealer			A	A		A			A	A	9-6.129
General Retail	A	A	A	A	A	A	A				
General Retail, greater than 50,00 sf	CUP	CUP	CUP	CUP	CUP	CUP	CUP				
Mobile Eating & Drinking Vendors <sup>7</sup>	A	A	A	A		A	A		A	A	
Sales Lots					CUP	CUP			CUP	CUP	9-6.139
Service Stations	CUP		CUP	CUP	A						9-6.164
Temporary Or Seasonal Sales	A	A	A	A	A	A	A		A	A	9-6.176



Allowed Land Uses & Permit Requirements	A Allowed Use, Zoning Clearance Required										
Non-Residential Zones	CUP Conditional Use Permit Required										
	AUP Administrative Use Permit Required										
	☐ Not Permitted										
Use	Permitted Uses By Zones										Special Use Regulation(s)
	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	
Services-Business, Financial & Professional											
ATM	A	A	A	A	A	A	A	A	A	A	
Financial Services & Banks	A	A	A	A	A	A	CUP	A			
Government Offices & Facilities	A	A	A	A	A	A	A	A	A	A	
Health Care Services		A	A	A	CUP	A	A	A			
Offices	A	A	A	A	A	A	A	A			
Temporary Offices		A	A	A							9-6.176
General Services											
Animal Hospitals			CUP	A		CUP					9-6.110
Auto Repair & Services			CUP	A	A	CUP			A	A	9-6.168
Business Support Services		A	A	A		A	A	A	A	A	
Contact Construction Services				A		A			A	A	
Day Care											
Childcare Center		A	A	A				CUP			9-6.125
Large Family Day Care		A	A	A				CUP			9-6.125
Small Family Daycare							A <sup>3</sup>				
Adult Day Care Facility		A	A	A				CUP			
Kennels			CUP	A							9-6.111
Medical Extended Care Services: 6 Residents or Less	A		A								9-6.134
Medical Extended Care Services: 7 Residents or More	A		A								9-6.134
Mini-Storage				CUP		CUP			A	A	
Mortuary Services			A	A							
Personal Services	A	A	A	A	A	CUP	A				
Personal Service Restricted				A	CUP	CUP					
Printing & Publishing		CUP	CUP			A			A	A	
RCFE – Assisted Living	A		A	A							9-6.135



Allowed Land Uses & Permit Requirements <b>Non-Residential Zones</b>	A Allowed Use, Zoning Clearance Required CUP Conditional Use Permit Required AUP Administrative Use Permit Required <input type="checkbox"/> Not Permitted										
Use	Permitted Uses By Zones										Special Use Regulation(s)
	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	
RCFE – Independent living / Senior Apartments	CUP		CUP	CUP							9-6.135
RCFE – Retirement Hotel	CUP		CUP	CUP							9-6.135
Residential Care: 6 Residents or Less							A <sup>3</sup>	A <sup>3</sup>			9-6.135
Residential Care: 7 Residents or More							CUP <sup>3</sup>	CUP <sup>3</sup>			9-6.135
Vehicle & Equipment Storage <sup>6</sup>			CUP			CUP			A	A	9-6.183
<b>Industrial, Wholesale, Manufacturing Uses</b>											
Brewery – Production				CUP		CUP			A	A	
Collection Stations	A	A	A	A	A	A			A	A	9-6.130
Laundries & Dry Cleaning Plants				A		A			A	A	
Medical Research		CUP		A		A		CUP	A	A	
Manufacturing & Processing - Low Intensity		CUP	CUP	A		A			A	A	
Manufacturing & Processing – High Intensity <sup>6</sup>				CUP		CUP			AUP	AUP	
Recycling & Scrap									CUP	CUP	9-6.131
Recycling Centers									CUP	CUP	9-6.132
Research & Development		CUP		A		A	CUP	A	A	A	
Storage, Recycling & Dismantling of Vehicles & Material				CUP					A	A	9-6.131
Warehousing				CUP		CUP			A	A	
Wholesaling & Distribution Center <sup>6</sup>		AUP	AUP	A		A			A	A	
Winery - Boutique			A	A	A	A	A		A	A	
Winery - Production				CUP		CUP			A	A	



Allowed Land Uses & Permit Requirements	A Allowed Use, Zoning Clearance Required										
Non-Residential Zones	CUP Conditional Use Permit Required										
	AUP Administrative Use Permit Required										
	<input type="checkbox"/> Not Permitted										
Use	Permitted Uses By Zones										Special Use Regulation(s)
	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	
Transportation Communication & Infrastructure											
Broadcast Studios			A	A							
Data and Computer Services Center		AUP		AUP		CUP			A	A	
Parking Lots	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	
Telecommunication Facility	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Utility Facilities		CUP		CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Vehicle & Freight Terminals				CUP					CUP	CUP	
Utility Infrastructure	A	A	CUP	A	A	A	CUP	CUP	A	A	
Notes:	(Only these notes apply to this table below).										
1	Multi-family dwellings permitted when located on the second floor or above.										
2	Multi-Family dwellings permitted when located on the second floor or above, or within an existing residential structure of historical significance.										
3	Residential uses allowed only on second and third floor, except sites north of Olmeda Avenue. If a project is required to provide a unit in compliance with the Americans with Disabilities Act, the handicapped accessible unit may be located on a first floor. A first floor unit shall be located in a non-storefront location within a tenant space.										
4	A single family residence may be permitted if an existing residence is determined to be of historical significance.										
5	Handcrafted and artesian food production shall be ancillary to the retail component.										
6	Outdoor commercial and industrial sales and storage developments as defined by Section 9-9.102 of ten thousand (10,000) square feet or more, even if such a development is listed as an allowable use in a particular zoning district.										
7	Mobile Food vending permitted if use is located outside of right-of-way and located on private property										
Zoning District Abbreviations	CN – Commercial Neighborhood; CP – Commercial Professional; CR – Commercial Retail; CS – Commercial Service ; CT – Commercial Tourist; CPK – Commercial Park; DC – Downtown Commercial; DO – Downtown Office; IP – Industrial Park ; I – Industrial										



Table 4.2: Public Zone Uses

Allowed Land Uses & Permit Requirements  Public Zones	A    Allowed Use, Zoning Clearance Required				
	CUP   Conditional Use Permit Required				
	AUP   Administrative Use Permit Required				
	<input type="checkbox"/> Not Permitted				
Use	Permitted Uses By Zones				Special Use Regulation(s)
	L	LS	P	OS	
Agricultural Resources					
Agricultural Accessory Uses		A			
Farm Animal Raising		A			
Farmers Market	A	A	A		
Horticultural Specialties		CUP			
Residential Uses					
Residential Accessory Uses		A			9-6.106
Single-Family Dwelling		A	CUP		
Temporary Dwelling		A			9-6.176
Caretaker's Residence / Employee Unit	CUP				9-6.184
Recreation, Education, & Public Assembly					
Schools-Business & Vocational	A		CUP		9-6.125
Schools			A		9-6.125
Churches & Related Activities			CUP		9-6.121
Membership Organizations	A		CUP		
Indoor Recreation Services	CUP	CUP	A		
Outdoor Recreation Services	A	CUP	A		9-6.123
Libraries, Museums	A	A	A		
Amusement Services	A	CUP			
Public Assembly & Entertainment	CUP		A		
Parks & Playgrounds	A	A	A	A	
Rural Sports & Group Facilities	A	CUP			9-6.124
Social & Service Organizations			CUP		
Sports Assembly	CUP				
Temporary Events	A	A	A		9-6.177
Cemeteries	CUP	CUP	CUP		
Tourism, Lodging, & Dining					
Bed & Breakfast	A	A			
Hotels, Motels		CUP			
Recreational Vehicle Parks	CUP	CUP	CUP		9-6.180
Eating & Drinking Places	CUP	CUP			





Allowed Land Uses & Permit Requirements  Public Zones	A    Allowed Use, Zoning Clearance Required				
	CUP   Conditional Use Permit Required				
	AUP   Administrative Use Permit Required				
	<input type="checkbox"/> Not Permitted				
Use	Permitted Uses By Zones				Special Use Regulation(s)
	L	LS	P	OS	
Retail Trade & Sales					
Accessory Storage	A	A			9-6.103
General Retail	A	CUP			
Temporary Or Seasonal Retail Sales	A	A	A		9-6.174
EV Charging Sites	A	A	A		
Services-Business, Financial & Professional					
ATM			A		
Government Offices & Facilities			A		
Health Care Services			CUP		
Temporary Offices			A		
Home Occupation		A			
General Services					
Animal Hospitals			CUP		
Residential Care: 6 Residents or Less			CUP		9-6.125
Residential Care: 7 Residents or More			CUP		9-6.125
Medical Extended Care Services: 6 Residents or Less			CUP		9-6.134
Day Care					
Childcare Center			CUP		9-6.125
Adult Day Care Facility			CUP		
Medical Extended Care Services: 7 Residents or More			CUP		9-6.134
Mortuary Services			CUP		
Mini-Storage			CUP		
Industrial, Wholesale, Manufacturing Uses					
Collection Stations	A	A	A		9-6.130
Transportation Communication & Infrastructure					
Parking Lots			A		
Transit Stations	CUP		CUP		
Utility Facilities	A	A	A	CUP	
Utility Infrastructure	CUP	CUP	CUP	CUP	
Broadcast Studios			A		
Telecommunication Facilities	CUP	CUP	CUP		
Notes: Zoning District Abbreviations L - Recreation; LS - Special Recreation; P - Public; OS - Open Space					



## 4.4 Land Use Definitions – Non-Residential Uses

### Purpose (AMC 9-3.501)

This section contains descriptions of the types of land uses which can be established in the various zones. The uses described here are allowed in the various zoning districts established. The description of land uses are intended only to list the various land uses included under each general heading and do not explain what permit requirements or performance standards may be applicable to a given use. If a use here within is not defined in this section, or in other provisions of the City of Atascadero Municipal Code, the Community Development Director shall determine the correct definition.

### Definitions (AMC 9-3.520)

As used in Title 9, the following terms and phrased shall have the meaning ascribed to them in this Section, unless the context in which they are used clearly requires otherwise.

#### Definitions “A”

**Accessory Storage:** The indoor or outdoor storage of various materials on the same site as a principal building or land use which is other than storage, which supports the activities or conduct of the principal use.

**Adult-Oriented Business:** Any business defined by Chapter 19 of Title 9 in the Atascadero Municipal Code, or subsequent code section, as an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, massage parlor (excluding State-licensed massage therapy), sexual encounter establishment, or nude model studio is an adult oriented business.

**Age Restricted Housing:** Residential multifamily or single-family units that restrict occupancy based on age. This use typically consists of senior housing which restricts age for fifty-five (55) and older.

**Agricultural Accessory Uses:** Includes any use that is customarily part of an agricultural including structures that are designed to house farm implements, hay, grain, poultry, livestock, or other horticulture products, including non-commercial greenhouse that are incidental and secondary to a residential use. This does not include garages, workshops, or other similar

residential accessory structures.

**Agricultural Produce Stands:** Open structures for the retail sale of agricultural products (except hay, grain and feed sales which are included under “Farm Equipment and Supplies”) which are grown on the site in residential or agriculture zones. This does not include Farmer’s Markets or “seasonal sales located in non-residential zoning districts, defined under “temporary sales”.

**Amusement Services:** Establishments providing indoor amusement or entertainment on payment of a fee or admission charge, such as: arcades and coin-operated amusements; card rooms, billiard and pool halls as a primary use; alleys; ice skating and roller skating; dance halls, and ballrooms which are principal uses rather than being subordinate to an eating or drinking place; gymnasiums, reducing salons, health and exercise facilities that do not include courts or similar facilities designed for tennis, handball, racquetball or similar indoor participation sports.

**Animal Hospitals:** Establishments primarily engaged in performing services for animals, including veterinary services and animal hospitals. Does not include kennels, which are listed as a separate category.

**Artisan Foods & Products:** An establishment that specializes in artisan food production, art glass, ceramics, jewelry, paintings, sculpture, and other handcrafted items, where the facility includes a retail component.

**Auto Dealers (New & Used) & Supplies:** Retail and wholesale trade establishments selling new and used automobiles, including, but not limited to, light trucks (US DOT Class 1, 2, and 3), boats (FBSA Class A and Class 1 boats (under twenty-six (26) feet in length)), recreational vehicles, recreational/utility trailers, motorcycles and mopeds. Also includes establishments selling new parts and accessories within a building for the above. Does not include establishments dealing exclusively in used parts. Includes automobile repair shops only when maintained by establishment engaged in the sale of vehicles on the same site. Does not include “service stations,” which are separately defined.

**Auto Repair & Services:** Service establishments primarily engaged in the repair, alteration, painting, washing or waxing of automobiles, and lube services. May also include rental of cars, trucks or trailers; leasing of cars and trucks. Does not include repair



shops which are subordinate to and maintained by a vehicle dealership.

**Automated Teller Machine (ATM):** Computerized, self-service machines used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institutions personnel. The machines may be located at or within banks, or in other locations.

### **Definitions “B”**

**Bar/Tavern:** Establishments where alcoholic beverages are sold for on-site consumption, which is not part of a larger restaurant. Includes bars, taverns, pubs, night clubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. Does not include adult entertainment businesses or uses defined under microbreweries or tasting rooms.

**Bed & Breakfast:** Transient lodging establishments primarily engaged in providing overnight or otherwise temporary lodging for the general public. Such establishments provide limited meal service, generally breakfast, for lodgers

**Broadcasting Studios:** Commercial and public communications uses including radio, television broadcasting and receiving stations and studios with facilities entirely within buildings. Does not include antennas and towers, which are defined under “telecommunications facilities”.

**Brewery – Production:** An establishment which produces ales, beers, meads, hard ciders, and/or similar beverages on-site. Production breweries are classified as a use which requires a Class 01 type licensure from Alcohol Beverage Control (ABC). Breweries may also serve beverages on-site, and sell beverages for off-site consumption in keeping with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, and Firearms (ATF).

**Building Materials & Hardware:** Retail trade establishments primarily engaged in the sale of lumber and other building materials, including paint, wallpaper, glass, hardware, nursery stock, lawn and garden supplies. Includes all such stores selling to the general public, even if sales to contractors account for a larger proportion of total sales. Establishments primarily selling plumbing, heating, and air conditioning equipment and electrical supplies are classified in “Wholesaling and Distribution Centers.”

**Business Support Services:** An establishment or business located within a building and provides services to other business including but not limited to:

- Blueprinting and reprographics, copying and quick printing services;
- Computer related services repair and rental;
- Private mail and mailbox service not affiliated with federal mailing agency;
- Protective services (other than office related) and security system services;
- Outdoor advertising and signage services;
- Services to structures such as window cleaning, exterminators, janitorial services and other similar types.

### **Definitions “C”**

**Caretaker Residence/Employee Unit:** A permanent residence that is secondary or accessory to the primary use of the property, and used for housing a caretaker employed on the site of any nonresidential use where a caretaker is needed for security purposes or to provide twenty-four (24) hour care or monitoring of plants, animals, equipment, or other conditions on the site. Does not include housing for caretaker-type employees in the Agriculture Zone which is defined as “Agriculture Employee Housing.”

**Cemeteries:** Interment establishments engaged in subdividing property into cemetery lots and offering burial plots or air space for sale. Includes animal cemeteries and cemetery, mauso-leum and columbarium operations. Excludes funeral parlor and related facilities which are listed under “Mortuary Services.”

**Churches & Related Activities:** Religious organization facilities operated for worship or for promotion of religious activities, including churches and religious Sunday-type schools. Other establishments maintained by religious organizations, such as educational institutions, hospitals and other operations that may be considered commercial in nature if not run by the religious organization (such as a recreational camp) are classified according to their respective activities.

**Collection Stations:** Facilities for the temporary accumulation and storage of recyclable discarded materials, which are subsequently transported to



recycling centers or solid waste disposal sites for further processing. Does not include automobile wrecking yards or any recycling processing facilities, which are listed under “Recycling and Scrap.” Does not include temporary storage of toxic, mutagenic or radioactive waste materials.

**Contract Construction Facilities:** Office uses with indoor/or outdoor facilities operated by, or on behalf of a contractor for storage of large equipment, vehicles, and/or other materials commonly used in the individual contractor’s type of business and can include the storage of materials used for repair and maintenance of contractor’s own equipment; and buildings or structures for uses by the contractor.

### **Definitions “D”**

**Data & Computer Services / Center:** A use where the majority of the space is occupied by computers and/or related equipment and where information is processed, transferred, and/or stored (also commonly referred to as “server farms”. Data and computer service / centers may contain data technology centers, internet service providers (ISPs), network operation centers, web hosting facilities and other similar establishments primarily engaged in providing direct access through telecommunication networks to computer-held information.

**Day Care:** Facilities that provide non-medical care and supervision of individuals for periods of less than twenty-four (24) hours. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services or successor agency. Day care uses include the following:

**Child Care Center:** Child day care facilities designed and approved to accommodate fifteen (15) or more children. Includes infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.

**Large Family Day Care Home:** As provided by Health and Safety Code Section 1596.78 or successor provision, a home that regularly provides care, protection, and supervision for seven (7) to twelve (12) children, including up to two (2) children under the age of ten (10) years who reside in the home, for periods of less than twenty-four (24) hours per day, while the parents or guardians are away.

**Small Family Day Care Home:** As provided by Health and Safety Code Section 1596.78 or successor

provision, a home that provides family day care for six (6) or fewer children, including two (2) children under the age of ten (10) years who reside in the home.

**Adult Day Care Facility:** A day care facility providing care and supervision for adult clients.

**Drive-Through Sales or Services:** A facility where food or other products may be purchased or where services may be obtained by motorists without leaving their vehicles. Examples of drive-through sales facilities include fast-food restaurants, drive-through coffee, photo-stores, pharmacies, etc. Examples of drive-through service facilities include drive-through bank teller windows, automated teller machines (ATM), dry cleaners / laundromats, etc. but do not include service stations or other vehicle services, which are separately defined.

### **Definitions “E”**

**Eating & Drinking Places:** Restaurants and other establishments selling prepared foods and drinks for consumption on the premises, as well as facilities for dancing and other entertainment which are secondary and subordinate to the principal use of the establishment as an eating and drinking place. Also includes lunch counters and refreshment stands selling prepared goods and drinks for immediate consumption. Restaurants, lunch counters, and drinking places operated as subordinate service facilities within other establishments are not included here unless they are operated as leased departments by outside operators. Does not include establishments with drive-through facilities or uses defined under adult oriented business.

**EV Charging Site:** Electric Vehicle (EV) charging site includes level one, level two, and level three charging sites that are an accessory use to a primary use, such as a parking lot, building, or multi-family residence. These charging sites are incidental uses and may or may not charge a fee for use. Does not include stand alone EV charging station as defined in “Service Stations”.

### **Definitions “F”**

**Farm Animal Raising:** The keeping, feeding or grazing of animals as an avocation, hobby, or school project, subordinate to the principal residential use of a property, includes species commonly considered as farm animals as well as exotic species, but does not include household pets. This includes the raising or feeding of beef cattle, sheep and goats by grazing or





pasturing. Does not include uses defined as “Livestock Specialties.”

**Farmers Market:** The temporary and intermittent use of a public or private property for the outdoor sales of food and farm produce in compliance with California Food and Agriculture Code Section 1392 et. seq., and artesian products or similar farmers markets products that include multiple sales vendors.

**Financial Services & Banks:** Service establishments primarily engaged in the field of finance, including: banks and trust companies; credit agencies other than banks; brokers and dealers in securities and commodity contracts; security and commodity exchanges; holding (but not predominantly operating) companies; and other investment companies.

**Fuel Dealers:** Retail trade establishments primarily engaged in the sale to consumers of liquefied petroleum gas (LPG), propane, bottled or other fuels in bulk. Does not include accessory uses as part of a service station.

### Definitions “G”

**General Retail:** Stores and shops selling either many lines of merchandise, or specialized type of merchandise, where the retail sales are conducted within the entire footprint of a building. Examples include but not limited to:

- Antique stores; second hand stores, jewelry stores, hobby materials, specialty stores;
- Art galleries, art supplies, collectibles, hobby materials;
- Bicycles, toys, games, sporting goods and equipment;
- Department stores, drug stores, pharmacies, supermarkets, groceries stores, specialty food markets, membership warehouse clubs;
- Florists, house plant stores (indoor sales), small house wares;
- Home Furniture stores, consumer electronic / audio visual goods, bookstores, home and/or office appliance stores (excludes wholesale sales not open to the general public )
- New clothing, shoes, and accessory retail stores;
- Stationary, dry goods, fabric stores and sewing

supplies, and variety stores;

- Stand-alone convenience markets (excludes fuel sales), warehouse retail stores, building supply hardware stores where outdoor sales are limited to under 10,000 sf.

**Government Offices & Facilities:** Administrative, clerical, or public contact and/or service offices of recognized local, state, or federal agencies. Includes post offices, City Hall, municipal corporation yards, etc.

### Definitions “H”

**Health Care Services:** Service establishments primarily engaged in furnishing medical, mental health, surgical and other personal health services including: medical, dental and psychiatric offices (mental health) related services, including various types of counseling practiced by licensed individuals other than medical doctors or psychiatrists, or unlicensed individuals, are included under “Offices”; medical and dental laboratories; outpatient care facilities; and allied health services. Associations or groups primarily engaged in providing medical or other health services to members are included. Also includes hospitals and similar establishments primarily engaged in providing diagnostic services, extensive medical treatment including surgical and other hospital services; such establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. Nursing homes and similar long-term personal care facilities are classified in “Residential Care.”

**Horticultural Specialties:** Businesses engaged in the production of ornamental plants, tree farms, and other products, grown under cover or outdoors. Also includes establishments engaged in the sale or on-site production of such product.

**Hotels, Motels:** Commercial transient lodging establishments, including hotels, motor hotels, motels, tourist courts or cabins, primarily engaged in providing overnight or otherwise temporary lodging, with or without meals, for the general public. Such establishments shall not provide kitchen facilities in more than twenty-five percent (25%) of the units.

### Definitions “I”

**Indoor Recreation Services:** Facilities for various indoor sports and recreation, including: bowling alleys; ice skating and roller skating; gymnasiums, health and





athletic clubs; tennis, handball, racquetball and similar indoor sports; shooting and archery ranges; recreation and community centers.

**Kennels:** A lot, building, structure, enclosure or premises where four (4) or more dogs or cats (four (4) months of age or older) are kept or maintained, including the keeping of such animals for sale, for commercial breeding or for lodging and care. Does not include dogs and cats kept for noncommercial purposes.

### Definitions “L”

**Large Scale Ag Manufacturing:** The large scale processing of agriculture products subsequent to their harvest, with the intent of preparing them for market or further processing including: alfalfa cubing; hay baling and cubing; corn shelling; drying of corn, rice, hay, fruits and vegetables; grain cleaning and custom grinding; custom grist mills; custom milling of flour, feed and grain; sorting, grading and packaging of fruits and vegetables; tree nut hulling and shelling; cotton ginning; and wineries in excess of 1,000 square feet in total use area. This does not include the growing, harvesting, and production of medical marijuana, or legally approve uses of marijuana by either the State of California or Federal Government.

**Laundries & Dry Cleaning Plants:** Service establishments primarily engaged in high volume laundry and garment services, including: power laundries (family and commercial); garment pressing and dry cleaning; linen supply; diaper service; industrial laundries; carpet and upholstery cleaners. Does not include coin-operated laundries or dry cleaning pickup stores without dry cleaning equipment, which are classified in “Personal Services.”

**Libraries, Museums:** Permanent public or quasi-public facilities generally of a noncommercial nature such as libraries, museums, art exhibitions, planetariums, aquariums, botanical gardens, arboretums and zoos. Also includes historic sites and exhibits.

**Livestock Specialties:** Agricultural establishments primarily engaged in commercial livestock keeping or feeding as a principal land use which, because of operational characteristics, may generate dust, odors or visual impacts which could have an adverse effect upon adjacent properties. Such uses include dairies, chicken, turkey and other poultry farms; animal specialties (such as rabbit farms and other fur-bearing animals); other specialties such as bee farms,

aviaries, worm farms, etc.

**Live/Work Units:** An integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multifamily, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

- Complete kitchen space and sanitary facilities in compliance with the Building Code; and
- Working space reserved for and regularly used by one or more occupants of the unit.
- Working space include uses that are either permitted within the zoning district.

### Definitions “M”

**Manufacturing, Repair, & Processing – Low Intensity:** A facility or business that engages in the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing process and the materials used are unlikely to cause significant impacts to the existing surrounding neighborhood or businesses in a indoor setting. Example of manufacturing and processing uses that are considered low intensity include the following but are not limited to:

- Artisan manufacturing and production where no retail component exists;
- Production, assembly, and/or repair where no raw materials are manufactured;
- Production and assembly of precision electronics and scientific instruments, including on-site offices;
- Producing or processing of foods and beverages for human consumption where no retail component exists and does not include noxious odors or excessive noise and no slaughter occurs on-site;
- Small scale manufacturing where assembling and/or manufacturing is completed by hand or precision tools;
- Small product manufacturing not classified in another major manufacturing group.



**Manufacturing, Repair, & Processing – High Intensity:**

A facility or establishment that accommodates manufacturing process that involve and/or produce building materials, fabricated metal products, machinery, and other similar manufacturing uses, where the intensity or scale of operations is determined to be greater than those classified under “manufacturing & processing – low intensity”, but where impacts to surrounding neighborhoods, businesses, and the community may cause a significant impact. Uses may have an indoor setting, however uses may also be conducted outdoors. Examples of manufacturing and processing uses that are considered high-intensity include the following but are not limited to:

- Machinery manufacturing that makes or process raw materials into products;
- Metal fabrication and welding shops engaged in the production and/or assembly of metal, and other similar metal shops;
- Manufacturing that cuts, shapes, and/or finishes building materials used in home or non-residential construction;
- Chemical product manufacturing that produces or uses basic chemicals and other establishments creating products predominantly by chemical processes;
- Product manufacturing that produces bulk concrete, asphalt, and other paving materials;
- Paving and roof materials manufacturing of various common paving and petroleum-based roofing materials including bulk asphalt, paving blocks made of asphalt, creosote wood, and various compositions of asphalt and tar;
- Plastics, other synthetics and rubber manufacturing;
- Primary metal industries engaged in smelting, refining of ferrous and non-ferrous metals;
- Other similar heavy intensive uses.

**Medical Extended Care Services:** Residential facilities providing nursing and health-related care as a primary use with in-patient beds. Examples of these uses include: board and care homes; convalescent and rest homes; extended care facilities; and skilled nursing facilities. Long-term personal care facilities that do not emphasize medical treatment are included under “Residential Care.”

**Medical Marijuana:** See Section 9-6.186.

**Medical Research:** Establishment related to medical and/or dental research, testing and analysis, including but not limited to trial and clinical research. Biomedical and pharmaceutical research and development facilities are not included in this definition. Medical Research does not include the storage or use of quantities of hazardous materials nor any toxic gas. Additionally, Medical Research may include storage and use of etiological (biological) agents up to and including Risk Group 2 or Bio Safety Level 2 (Center for Disease Control). Typically uses are a part of a campus like setting such as a business park or stand-alone building.

**Membership Organizations:** Organizations operating on a membership basis for the promotion of the interests of the members, including: business associations; professional membership organizations; labor unions and similar labor organizations; civic, social and fraternal organizations (not lodging); political organizations and other membership organizations.

**Micro-Brewery/Brewpub:** An establishment that produces ales, beers, meads, hard ciders / and or similar beverages to serve on-site. Sale of beverages for off-site consumption is also permitted consistent with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, and Firearms (ATF). Food service for on-site consumption is allowed as an ancillary use. Brewpubs and microbreweries are considered small operations consistent with ABC license type 23, 40, or 42 or State similar licensures.

**Mini-Storage:** Buildings containing individual storage areas rented or leased to the general public. Does not include warehousing or exterior storage facilities.

**Mobile eating & drinking vendors:** Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk, on which food is displayed, prepared, or processed for the purpose of selling food or drinks to a consumer.

**Mortuary Services:** Establishments with facilities for the preparation of the dead for burial, cremation and for the holding of funeral observances and services. Accessory facilities may include a cemetery, columbarium or mausoleum. Includes: funeral homes and parlors, mortuaries and related facilities.

**Multiple-Family Dwelling:** Two (2) or more dwelling units located on a single lot, each occupied by a single housekeeping unit; includes buildings or groups



of buildings designated as apartments, duplexes, triplexes and condominiums, but not including motels, hotels, dormitories, or RV parks as herein defined. Also includes transitional housing, supportive housing and single room occupancy housing where people live as independently as possible with the assistance of social services tailored to each person's needs as defined in Section 9-9.102 of the Zoning Ordinance. This does not include secondary units in single family zoning districts.

### Definitions "O"

**Offices:** Establishments engaged in performing a service in a professional office including: engineering, architectural and surveying services; real estate agencies; noncommercial educational, scientific and research organizations; accounting, auditing, and bookkeeping services; authors, writers, artists, etc.; advertising agencies; photography studios and small commercial art studios; employment agencies and stenographic services; reporting services; data processing and computer services; management, public relations, and consulting services; detective agencies and other similar professional services; attorneys; and counseling services provided by individuals other than licensed psychiatrists, which are included under "Health Care Services."

**Outdoor Recreation Services:** Facilities for various outdoor sports and recreation, including: amusement and kiddie parks; golf courses, golf driving ranges and miniature golf courses; skateboard parks; go-cart and miniature auto race tracks; tennis courts, swim and tennis clubs and facilities; play lots, playgrounds and athletic fields; recreation and community centers.

### Definitions "P"

**Parking Lot:** An open area, excluding a street or other public right-of-way, for the exclusive use of parking as a primary use for automobiles and available to either to the public or patrons of adjacent buildings or structures. Parking lots can either be free for use, or may charge a fee for compensation.

**Parks & Playgrounds:** A public outdoor recreational facility that may provide a variety of recreational activities including playground equipment, open space areas for passive recreation including hiking and biking trails, zoos, picnicking, and sport and active recreation facilities dedicated for use to the public.

**Personal Services:** Service establishments primarily engaged in providing non-medical services as a primary use and may include accessory retail sales of products related to the services provided. These uses include the following: beauty shops (includes permanent makeup when less than ten percent (10%) of overall sales), barber shops, day spas and massage therapy where each massage therapist is certified/licensed by a State-recognized organization, shoe repair shops, dry cleaning pickup stores, clothing rental, tailors, tanning salons, pet grooming services, nail salons, and other similar uses.

**Personal Services—Restricted:** Service establishments that may have a blighting and/or deteriorating effect upon the surrounding area which may need to be dispersed in order to minimize their adverse impact. Examples of these uses include, but are not limited to, the following: check cashing and/or payday/sameday loans; smoking, tobacco and vaping products as a primary use, fortunetellers, psychics; palm, tarot and card readers; tattoo and body piercing services; pawn shops, to which the business of pawn brokering, or the business of lending money upon personal property, pawns or pledges is done; and hot tubs and saunas that are not an accessory to a permitted use.

**Printing & Publishing:** An establishment engaged in printing letter press, lithography gravure, screen offset or electrostatic copying and other establishments serving the printing trade such as bookbinding, typesetting, engraving, photoengraving, and electrotyping. The use also includes establishments that publish newspapers, books, and periodicals; establishments manufacturing business forms and binding devices. "Quick printing" services are included in the definition "Business Support Services".

**Public Assembly & Entertainment:** Facilities for public assembly and group entertainment such as: public and semi-public auditoriums; exhibition and convention halls; civic theaters and meeting halls; motion picture theaters; legitimate theater facilities for live theatrical presentations or concerts by bands and orchestras; amphitheaters; meeting halls for rent and similar public assembly uses.

### Definitions "R"

**Recreational Vehicle Parks:** Transient lodging establishments primarily engaged in renting, leasing or otherwise providing overnight or short-term sites for trailers, campers, or tents, with or without individual





utility hookups, but with other facilities such as public restrooms. Does not include incidental camping areas, which are included under “Rural Sports and Group Facilities.”

**Recycling & Scrap:** Establishments primarily engaged in assembling, breaking up, sorting, temporary storage and distribution of recyclable or reusable scrap and waste materials, including auto wreckers engaged in dismantling automobiles for scrap. Does not include waste disposal sites, which are separately defined. Does not include temporary storage of toxic or radioactive waste materials.

**Recycling Centers:** An establishment, which is larger than a “collection station,” that serves as a community-wide center for the collection and/or processing of recyclable materials such as glass, paper, plastic, aluminum and metal cans.

**Research & Development:** Research and development offices, devoted to scientific and engineering research and the design, development and testing of new technology and products; usually includes laboratory space or small-scale manufacturing operations.

**Residential Accessory Uses:** Includes any use that is customarily part of a residence and is clearly incidental and secondary to a residence and does not change the character of the residential use. Residential accessory uses include the storage of vehicles and other personal property and accessory structures including garages, studios and workshops.

**Residential Care:** A single-family or multiple-family dwelling unit that is licensed or supervised by a Federal, State, or local health/welfare agency that provides non-medical care of unrelated persons who are in need of personal service, supervision, or assistance essential for sustaining activities of daily living or for the protection of the individual. Use includes the following: children’s homes; halfway houses; rehabilitation centers; self-help group homes.

**Residential Care Facility for the Elderly (RCFE):** A housing arrangement chosen voluntarily by the residents or the residents’ guardians, conservators or other responsible person(s) where the following occurs: where seventy-five (75) percent of the residents are at least sixty-two (62) years of age, or, if younger, have needs compatible with other residents; and where varying levels of care and supervision are provided, as agreed to at the time of admission or as determined necessary. RCFE uses may include basic services and

community space. RCFE uses include the following:

**Assisted Living Facility:** A residential building or buildings that also provide housing, personal and health care, as permitted by the Department of Social Services, designed to respond to the daily, individual needs of the residents. Assisted living facilities may include kitchenettes (small refrigerator, sink and/or microwave oven) within individual rooms. Assisted living facilities are required to be licensed by the California Department of Social Services, and do not include Medical Extended Care Services.

**Independent Living Center/Senior Apartment:** Independent living centers and senior apartments are multi-family residential projects reserved for senior citizens, where common facilities may be provided (for example, recreation areas), but where each dwelling unit has individual living, sleeping, bathing, and kitchen facilities.

**Retirement Hotel:** Establishments primarily engaged in providing lodging facilities limited to the aged where no medical care is provided. Such establishments may provide housekeeping and meals to the residents

**Rural Sports & Group Facilities:** Establishments supporting special group activities such as: archery, pistol, rifle, and skeet clubs and facilities; dude ranches; health resorts including outdoor hot spring, spa or hot tub facilities; hunting and fishing clubs; recreational camps; group or organized camps; incidental, seasonal camping areas without facilities; equestrian facilities, including riding academies, schools, stables and exhibition facilities.

### Definitions “S”

**Sales Lots:** Sales lots consist of any outdoor sales area for permanent display of motorized farm equipment, boats (FBSA Class 3 and 4 boats (over twenty-six (26) feet in length)), heavy commercial trucks (US DOT Class 4 through 8), mobilehomes, construction equipment, or other heavy equipment; outdoor equipment rental yards.

**Schools—Business & Vocational:** Business and secretarial schools; vocational schools offering specialized trade and commercial courses; specialized nondegree granting schools, such as: music schools; dramatic schools; language schools; driver education schools; ballet and other dance studios; and establishments furnishing educational courses by mail.



**Schools:** An institution or establishment that provides a program of instruction and teaching services. Includes: preschools, elementary and secondary schools serving grades K through 12 (or portions thereof); junior colleges, colleges and universities; and similar education institutions. Does not include Sunday schools which are permitted under “Churches and Related Facilities.”

**Service Stations:** Retail trade establishments primarily engaged in the sale of gasoline, which may also provide lubrication, oil change and tune-up services incidental to gasoline sales. May also include a towing service but does not include storage of wrecked or abandoned vehicles. Does not include uses defined as auto repair and service, or vehicle equipment storage.

**Single-Family Dwelling:** An attached or detached building not to contain more than one (1) kitchen wherein the occupants of the dwelling unit are living and functioning together as a single housekeeping unit, meaning that they have established ties and familiarity with each other, jointly use common areas, interact with each other, membership in the single housekeeping unit is fairly stable as opposed to transient, and members have some control over who becomes a member of the single housekeeping unit. Also includes factory-built, manufactured housing units and mobile homes constructed in compliance with Title 25 of the California Health and Safety Code, or successor provision as defined in Section 9-9.102 of the Zoning Ordinance; transitional housing and supportive housing serving six (6) or fewer persons as defined in Section 9-9.102 of the Zoning Ordinance.

**Single Room Occupancy Unit (SRO):** A structure that provides separate, single room, residential living units with no on-premises residential medical care. Units within the structure may have individual bathroom facilities, shared bath or toilet facilities for the residents, or any combination thereof. SRO may include structures commonly called rooming houses or boarding houses. SRO facilities shall not be age restricted. Age restricted SRO facilities shall be considered a residential care facility for the elderly (RCFE).

**Social & Service Organizations:** Public or quasi-public establishments providing social services and rehabilitation services to such as counseling centers, welfare offices, job counseling and training centers, or vocational rehabilitation agencies, persons with social or personal problems requiring special services and to the handicapped and the disadvantaged. Also included are organizations soliciting funds to be used directly for these related services. Also includes establishments

engaged in community improvement and neighborhood development. Does not include child day care services which are classified under “Schools.”

**Sports Assembly:** Facilities for spectator-oriented specialized group sports assembly that includes: stadiums and coliseums; arenas and field houses; race tracks (auto and animals); motorcycle racing and drag strips; and other sports that are considered commercial.

**Storage, Recycling & Dismantling of Vehicles & Material:** Establishments primarily engaged in the storage, assembling, dismantling, sorting, and distribution of materials, equipment and vehicles. This use may be located either outdoors or indoors and includes, but is not limited to, auto wrecking yards, vehicle storage areas, vehicle impound lots, recyclable/waste material storage and transfer facilities. This does not include waste disposal sites, which are separately defined, or temporary storage of toxic or radioactive waste materials.

### Definitions “T”

**Tasting Room:** Establishment that allows for beer, wine, or spirit tasting on-site with off-site sales directly to the public. Tasting rooms must meet the requirements of the Alcoholic Beverage Control (ABC) license type (Type 02, Type 23, Type 40, Type 42 or Type 74 license, or similar). Tasting rooms may operate within a large scale brewing, winery, or distillery facility as an ancillary.

**Telecommunication Facility:** Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, cellular data network, and wireless communication towers (cellular phones), including commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph, and cable television transmission facilities utilizing hard-wired or direct cable connections. Does not include data processing centers.

**Temporary Events:** Any use of a structure or land for an event for a limited period of time where the site is not to be permanently altered by grading or construction of accessory facilities. Events include: art shows; rodeos; religious revivals; tent camps; outdoor festivals and concerts.

**Temporary Dwelling:** Includes the temporary use of





a mobilehome or recreational vehicle as a dwelling unit, following the issuance of a building permit for a permanent residence while the permanent residence is under construction.

**Temporary Offices:** The utilization of a mobilehome or recreational vehicle as a temporary office during the period of a construction of a permanent office facility on the same site.

**Temporary or Seasonal Retail Sales:** Retail trade establishments primarily engaged in the sale of Christmas trees or other seasonal items; or semiannual sales of art or handcrafted items in conjunction with community festivals or art shows. Does not include Farmers Markets or Agricultural Roadside Stands.

### Definitions “U”

**Utility Facilities:** A fixed-base structure or facility serving as a junction point for transferring electric utility services from one transmission voltage to another or to local distribution and service voltages, and similar facilities for water supply, natural gas distribution, wastewater pump station, fiber optics junction box, or other similar facilities that are not exempted from land use permit requirements by California Government Code section 53091 or successor code.

**Utility Infrastructure:** Pipelines for water, natural gas, sewage collection and disposal; and facilities for the transmission of electrical energy for sale, including transmission lines for a public utility company. Also include telephone, cable television, and other communications transmission facilities utilizing direct physical conduits. Does not include offices or service center as defined under “offices” or distribution substations (“Utility Facilities”).

### Definitions “V”

**Vehicle & Equipment Storage:** Service establishments primarily engaged in the business of storing cars, buses and other motor vehicles; recreational vehicles (such as campers, motor homes, boats); construction equipment; and farm equipment. Includes both day use and long-term public and commercial garages, parking lots and structures. Does not include wrecking yards (classified in “Recycling and Scrap”).

**Vehicle & Freight Terminals:** Transportation establishments furnishing services incidental to transportation, including: freight forwarding services; transportation arrangement services; parking, crating,

inspection and weighing services; freight terminal facilities; joint terminal and service facilities; trucking facilities, including transfer and storage; public warehousing and storage. Includes both railroad transportation and motor freight transportation.

### Definitions “W”

**Warehousing:** Uses engaged in storage of manufactured products, supplies, and equipment excluding bulk storage of materials that are flammable or explosive or that present hazards, or conditions commonly recognizable as offensive. Does not include personal storage as defined as “mini-storage”.

**Wholesaling & Distribution Centers:** Establishments engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies.. Also includes storage, processing, packaging, and shipping facilities for mail order and e-commerce retail establishments.

**Winery – Boutique:** Winery or distillery production for no more than 3,000 cases of wine per year. Uses include fruit processing, fermentation pressing, barrel and bottle storage, bottling, wine tasting, and direct retail sale of wine. Does not include winery production in residential zones, which is defined as Small Scale Agriculture.

**Winery – Production:** Winery or distillery production of more than 3,001 cases of wine per year. Uses include fruit processing, fermentation pressing, barrel and bottle storage, bottling, wine tasting, and direct retail sale of wine. This also includes uses that produce 3,001 cases of beverages or less, but do not meet the requirements for “winery – boutique”, “winery – production”, or “brewery – production”.

## 4.4 Property Development Standards (AMC 9-3.340)

New subdivisions, land uses, structures, and alterations to existing land uses and structures shall be designed, constructed and established in compliance with the subsection 9-3.461 through 9-3.450, in addition to applicable standards (e.g. landscaping, parking, fencing, etc) in Chapter 4, and Special Land Use Regulation in Chapter 6 of this Title.



## 4.4.1 Non-Residential Zone Specific Development Standards

**Table 4.3: Zone Specific Development Standards For CN, CP, CR, CPK, CS, CT, I, IP, L, LS, OS, & P Zoning Districts**

Zoning District	Minimum Lot Size	Parking	Freeway Setbacks	Utilities	Other	Section
CN	N/A	N/A	N/A	N/A	Multi-Family Dwelling permitted on second floor with minor CUP.	AMC 9-3.341
CP	N/A	N/A	N/A	N/A	N/A	AMC 9-3.342
CS						AMC 9-3.344
CT						AMC 9-3.345
IP						AMC 9-3.348
I						AMC 9-3.349
OS						AMC 9-3.444
L						AMC 9-3.441
CR	N/A	Landscaped screening required along ECR / freeways to a minimum of 30 inches in height	10 feet minimum from freeway	Under-ground	N/A	AMC 9-3.343
CPK	2 acres, PC approval for smaller lot sizes	Landscaped screening required along ECR / freeways to a minimum of 30 inches in height	10 feet minimum from freeway	Under-ground	N/A	AMC 9-3.346
LS	SFR: 1 acre with sewer / 1 ½ acre without	N/A	N/A	N/A	N/A	AMC 9-3.442
P	SFR: 2 ½ acre	N/A	N/A	N/A	N/A	AMC 9-3.443



**Table 4.4: Zone Specific Development Standards For DC & DO Zoning Districts**

Development Feature	Requirement by Zoning District	
	DC	DO
	Downtown Commercial	Downtown Office
Minimum lot size	No minimum	
Setbacks	<i>Minimum and maximum setbacks required. See Section 9-4.103 for setback requirement, allowed projections into setbacks, and exceptions to setbacks.</i>	
Front	None allowed, except for building insets designed to accommodate outdoor eating and seating areas, and except for East and West Mall between El Camino Real and Palma Avenue, where a minimum of twenty (20) feet is required.	As required by Section 9-4.106 when adjacent to a residential zone, none required otherwise.
Sides (each)	None required	
Rear	None required	
Creek	To be determined through Design Review	
Height limit	Forty-five (45) feet not to exceed three (3) stories; eighteen (18) feet on the west side of El Camino Real between Atascadero Creek and the lot line common to Lots 19 and 20, Block H-B, Atascadero Colony Map.	Thirty-five (35) feet
Landscaping	As required by Sections 9-4.124 et seq. (Landscaping, screening and fencing)	
Off-street parking	None required, except as required by Section 9-4.114 for hotels, motels, and residential uses, and for all development east of Atascadero Creek.	As required by Sections 9-4.114 et seq.
Signs	See Section 9-15.005(b)	
Density	Twenty (20) dwelling units/acre maximum	Twenty (20) dwelling units/acre maximum

## 4.5 Non-Residential General Site Design and Development Standards

### 4.5.1 Setbacks (AMC 9-4.103)

The following sections establish standards for the use and size of building setbacks. The purpose of these standards is to provide for open areas around structures where needed for: visibility and traffic safety; access to and around buildings; access to natural light, ventilation and direct sunlight; separation of incompatible land uses; and space for privacy, landscaping and private recreation.

#### *Exceptions To Setback Standards (AMC 9-4.104)*

The minimum setback requirements of this title apply to all uses except the following (see also Section 9-4.110 of this chapter):



Uncovered decks, terraces, steps, earthworks and other similar landscaping or design elements placed directly on finished grade that do not exceed an average height of thirty (30) inches above the surrounding finished grade, provided that no such wood structure shall extend closer than eighteen (18) inches to a property line.

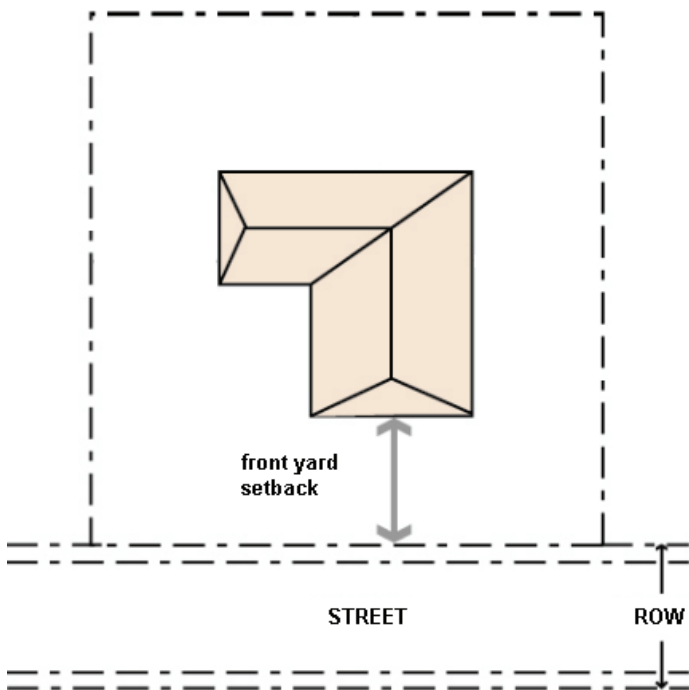
#### **Use Of Setbacks (AMC 9-4.105)**

Required setback areas are to be landscaped when required by Section 9-4.125 and shall be unobstructed by any building or structure. The use of setbacks for vehicle parking is subject to Section 9-4.116.

#### **4.5.1A Front Setbacks (AMC 9-4.106)**

The front setback is measured at right angles from the nearest point on the front property line to the building line. Front setback landscaping and fencing standards are in Sections 9-4.125(a) and 9-4.128 of this chapter, respectively.

**Figure 4.1: Front Yard Setback**



#### **Double Frontage Lots**

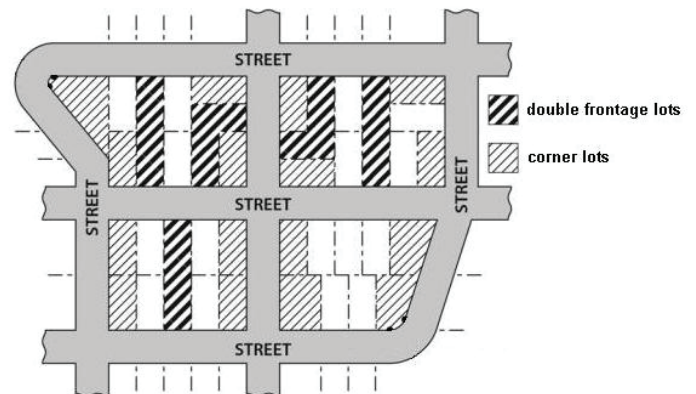
##### **Selecting The Setback Location**

Where double frontage setback locations are not specified by subdivision requirements or other applicable regulations, the applicant may select the front setback street unless fifty percent (50%) of the lots on a double frontage block are developed with the same front yard orientation. In that case, all remaining lots are to orient their front setbacks with the majority.

##### **Double Frontage Setback Requirements**

A full-front setback is to be provided adjacent to one frontage, and a setback of one-half (1/2) the required front setback depth adjacent to the other frontage.

**Figure 4.2: Double Frontage Lots**



##### **Establishment Of Front Setback On Zoning Map**

The Planning Commission may establish greater front setbacks than those required in this section by delineating the setback on the zoning map. Procedures specified by Section 9-1.115 of this title shall be followed in establishing such setbacks.

**4.5.1B Side Setbacks (AMC 9-4.107)**

The side setback is measured at right angles to the side property line to form a setback line parallel to the side property line, which extends between the front and rear setback areas.

**4.5.1.C Rear Setbacks (AMC 9-4.108)**

The rear setback is measured at right angles to the rear property line to form a setback line parallel to the rear property line.

**4.5.1.D Interior Setbacks & Open Areas (AMC 9-4.109)**

Detached buildings located on the same site are set by the Building Code.

**Exemptions**

The following accessory structures are exempt from the provisions outlined in this section:

- a) Decks;
- b) Patio covers and landscape structures;
- c) Structures under one hundred twenty (120) square feet when exempt from a building permit based on the adopted Building Code and consistent with the standards set forth in Section 9-6.106(b)(3);
- d) Similar accessory structures as determined by the Community Development Director.

**Projections Into Required Setbacks (AMC 9-4.110)**

The setback requirements of this title are modified as follows:

**Uncovered Decks**

When constructed higher than thirty (30) inches above the surrounding finish grade, a wood deck may extend into required setbacks as follows (decks less than thirty (30) inches high are exempt from these requirements— See Section 9-4.104(c)):

**Table 4.5 Non-Residential Setbacks**

General Site Development Standards (measured in feet)	Zoning Districts										
	CN	CP	CR	CS	CT	CPK	IP	I	L	LS	P
Front Setbacks <sup>1,2</sup>	None	None	None	None	None	None	None	None	10	10	10
Side Setbacks <sup>1</sup>	None	None	None	None	None	None	None	None	5	5	5
Rear Setbacks <sup>3,4</sup>	None	None	None	None	None	None	None	None	10	10	10
<b>Notes:</b> 1. Ground floor residential uses are subject to the residential setback requirements.  2. On lots adjacent to a residential zone where more than 50% are zoned for residential use, the front setback shall be 25 feet. A one story building or parking may encroach into 50% of the required setback depth. Does not apply to L, LS, & P Zones.  3. On lots adjacent to an ally, the rear setback shall be a minimum of 5 feet. The rear setback will be a minimum of 10 feet when the alley provides vehicular access. Does not apply to L, LS, & P Zones.  4. On lots adjacent to a residential zone, no rear setback is required on buildings that do not exceed 12 feet in height. Does not apply to L, LS, & P Zones.											



### *Front Setback*

A deck is not to be located therein.

### *Side Setback*

As determined by the Uniform Building Code.

### *Rear Setback*

A deck may occupy up to thirty percent (30%) of a required rear setback, but is to extend no closer than three (3) feet to the rear property line.

### Fire Escapes

A ladder or stairs designed to be used exclusively as an upper floor fire escape may project into a required setback only as provided by the Uniform Building Code.

### Roof & Wall Features

Cantilevered and projecting architectural features including chimneys, bay windows, balconies, cornices, eaves, rain gutter, signs (where allowed), display windows, and solar collectors may project into a required setback only as allowed by the Uniform Building Code.

### Porches

#### *Front Porch*

A covered front porch may project up to six (6) feet into a required front setback, provided that the floor level of the porch is to be no higher than the ground level of the building. An unenclosed front porch is not limited on its projection, provided it is one hundred (100) square feet or less in area.

#### *Side Porch*

A porch and/or outside stairway may be located in a required side setback provided the porch is not roofed or enclosed below the steps and does not extend into the side setback more than allowed by the Uniform Building Code.

#### *Rear Porch*

A porch in the required rear setback is subject to the same limitations as a deck, pursuant to subsection Rear Setback of this section.

### *Flag Lots*

Six (6) foot fences shall be allowed within the front yard setback area, but in no case shall a six (6) foot fence be allowed within an area connecting the required front yard setback areas for any adjoining lots. Trash enclosures may encroach into the front yard setback area but shall maintain a five (5) foot setback from adjoining property lines and shall not be located within the access strip.

### **4.5.2 Heights (AMC 9-4.111)**

The purpose of the following sections is to limit the height of structures as needed to: support public safety; protect access to natural light, ventilation, and direct sunlight; support the preservation of neighborhood character; and to preserve view sheds and scenic vistas.

The height of a building or structure is to be measured as the vertical distance from the highest point of the structure to the average of the highest and lowest points where the exterior walls touch the finish grade.



**Height Limitations (AMC 9-4.113)**

The maximum height for new structures is as follows:

**Table 4.6: Height Restrictions – Non-Residential**

Zone	Maximum Height
CN, CP, CR, CS, CT, LS, L, P	35 feet
CPK, IP, I	45 feet

**Exceptions To Height Limitations****Planning Commission Waiver**

The height limitations of this section may be modified through conditional use permit approval, provided the Planning Commission first finds the project will not result in substantial detrimental effects on the enjoyment and use of adjoining properties and that the modified height will not exceed the lifesaving equipment capabilities of the Fire Department.

**Downhill Lot**

Where the average front-to-back slope of a lot is greater than one (1) foot of fall in seven (7) feet of distance from the centerline of the street to the rear face of the proposed building, up to ten (10) feet may be added to the rear building face, which is to be excluded from the height measurement (Section 9-4.112).

**Uninhabited Structures**

The height limits specified in subsection Limitation By Zone of this section do not apply to the following structures (measurement of height is to be from the ground, as set forth in Section 9-4.112):

- a) Transmitting antennas used by licensed amateur (ham) radio operators when fifty (50) feet or less in height.
- b) Flagpoles fifty (50) feet or less in height.
- c) Grain elevators, silos, water tanks, windmills, wind generators and all other similar structures not containing residential uses and located in the CR, CS, CPK, IP and I Zones.
- d) Chimneys no more than one hundred (100) feet in height located in the CPK, IP and I Zones and all other chimneys and roof vents extending no more than two (2) feet above the height limit specified in subsection Limitation By Zone of this section.
- e) Industrial towers, nonportable equipment and other uninhabited structures no more than sixty (60) feet in height located in the CPK, IP and I Zones.
- f) All portable construction equipment.
- g) Public utility poles and structures for providing electrical and communications services.
- h) Solar collectors not more than five (5) feet above the height limit specified in subsection Limitation By Zone of this section.
- i) Satellite receiving and similar communication dishes and devices in commercial and industrial zones, when no more than ten (10) feet above the maximum height in the zone.

**4.5.3 Parking & Loading (AMC 9-4.114)**

Parking and loading standards are intended to: minimize street congestion and traffic hazards; provide safe and convenient access to businesses, public services, and places of public assembly; and to make the appearance of parking areas more compatible with surrounding land uses. Parking and loading standards are in the following sections:

**4.5.3A Off-Street Parking Required (AMC 9-4.115)**

All uses requiring an entitlement shall be provided off-street parking as set forth in this section, except parking lots in the following situations:

**Compact Car Spaces**

Lots with twenty (20) or more spaces may substitute compact car spaces for up to twenty percent (20%) of the total number of spaces. Compact car spaces shall be a minimum of eight (8) by fourteen (14) feet in size. Compact spaces shall be designated by painting the word “compact” or similar, on the surface of the space.



***Motorcycle Parking***

Lots with twenty (20) or more spaces may replace regular spaces with motorcycle spaces at a ratio of one (1) motorcycle space for each twenty (20) spaces. Motorcycle spaces shall be a minimum size of three (3) by six (6) feet. Motorcycle spaces shall be designated by painting the word “motorcycle,” or similar, on the surface of the space.

***Bicycle Spaces***

Lots with twenty (20) or more spaces may substitute a bicycle rack providing space for at least five (5) bicycles at a ratio of one (1) bicycle rack for each twenty (20) spaces. It is recommended that all shopping centers provide some bicycle spaces in the project.

***Parking District***

Parking requirements may be modified within a parking district where the district provides adequate parking within the limits of the district and the parking requirements of a new use are accommodated by the parking district.

***Shared On-Site Parking Adjustment***

Where two (2) or more nonresidential uses are on a single site, the number of parking spaces may be reduced through adjustment (Section 9-1.112) at a rate of five percent (5%) for each separate use, up to a maximum of twenty percent (20%); as long as the total number of spaces is not less than required for the use requiring the largest number of spaces.

***Shared Peak-Hour Parking***

In addition to the reduction of required parking allowed by subsection Shared On-Site Parking Adjustment of this section, where two (2) or more uses have distinct and differing peak traffic usage periods (for example, a theater and a bank), the required number of parking spaces may be reduced through conditional use permit approval, provided that the parking lots of each use are located within three hundred (300) feet of each other

(as measured along the most direct pedestrian path). The amount of reduction may be up to seventy-five percent (75%) of the amount of spaces required for the most intensive of the two (2) or more uses sharing the parking.

***On-Street Parking Adjustment***

Where a proposed driveway from a street to a new parking area would eliminate on-street parking spaces equal to or greater in number than the off-street spaces required, the requirement for off-street spaces may be eliminated through adjustment (Section 9-1.112 of this title) where the access or proposed building cannot reasonably be redesigned to avoid a net loss of parking.

**Planning Commission Modification**

The parking standards of this title may be modified through conditional use permit approval based upon specific findings of fact that the characteristics of a use or its immediate vicinity do not necessitate the number of parking spaces, type of design, or improvements required by this title and that reduced parking will be adequate to accommodate on the site all parking needs generated by the use.

**4.5.3B      Location Of Parking On A Site (AMC 9-4.116)**

Required parking spaces may be located as needed on a proposed site, subject to the design and construction standards of Sections 9-4.117 and 9-4.119 of this chapter and the following:

***Use Of Front Setback***

Required parking spaces are not to be located within the required front setback.

### ***Use Of Side And Rear Setbacks***

Side and rear setbacks may be used for vehicle parking except on the street side of a corner lot and except where landscaping is required by Section 9-4.125 of this chapter.

#### **4.5.3C Parking Design Standards (AMC 9-4.117)**

All off-street parking areas shall be designed and improved as set forth in this section.

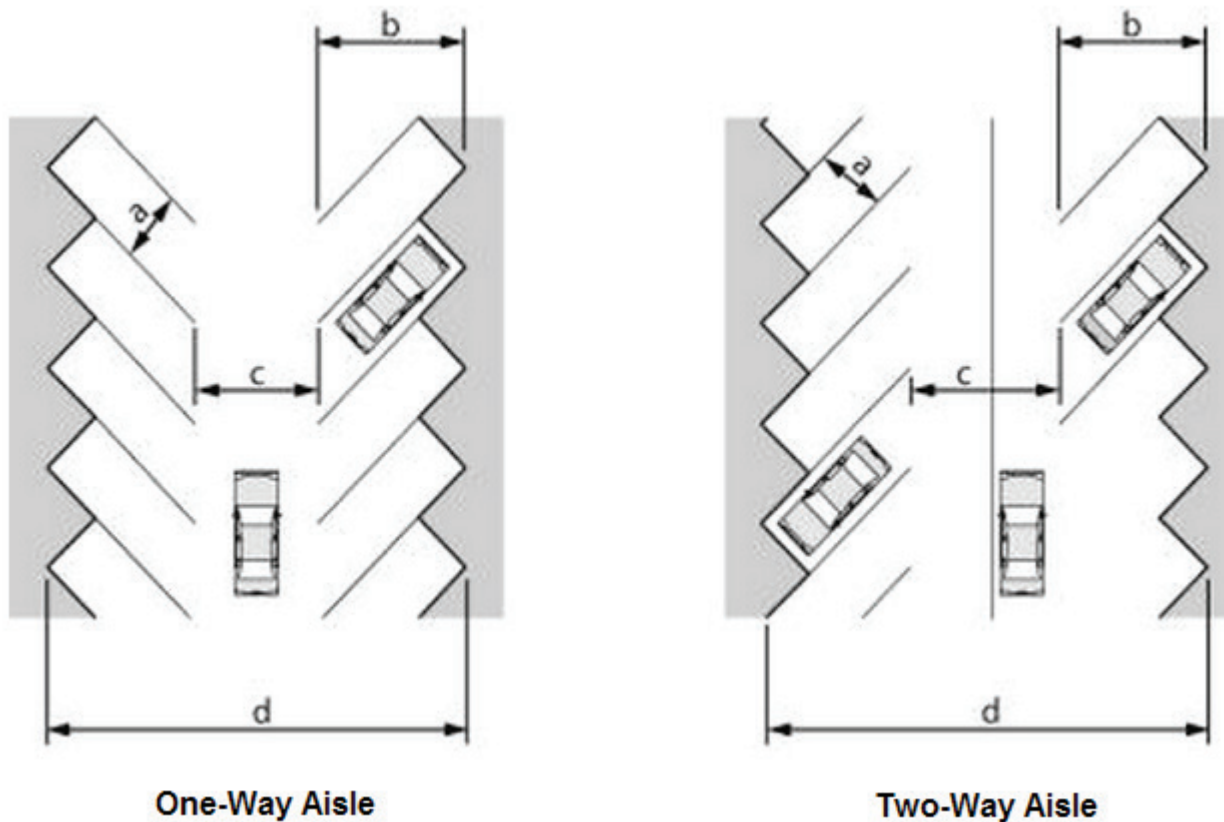
### ***Parking Space & Aisle Dimensions***

All off-street automobile parking spaces are to be a minimum of nine (9) by eighteen (18) feet in size, except for compact car spaces, handicapped spaces, motorcycle spaces, and bicycle spaces (Section 9-4.115). Parking lot aisles shall be as follows:

### ***Angle Parking***

The aisle dimensions for angle parking are to be based upon the angle and width of the parking space as set forth in the following chart. The use of a wider parking space enables reducing the aisle width, as shown.

Figure 4.3: Angle Parking Illustration



**Table 4.7: Parking Space Dimensions Based On Angle**

Angle	Space Width (a)	Space to Curb (b)	Aisle <sup>1</sup> (c)	Tier <sup>2</sup> Width (d)
90 degree	8' — 0" <sup>3</sup>	14' — 0"	20' — 0"	52' — 0"
	9' — 0"	18' — 0"	24' — 0"	60' — 0"
	10' — 0"	18' — 0"	22' — 0"	58' — 0"
60 degree	8' — 0" <sup>3</sup>	16' — 0"	14' — 0"	48' — 0"
	9' — 0"	20' — 0"	18' — 0"	58' — 0"
	10' — 0"	20' — 8"	16' — 0"	57' — 4"
45 degree	8' — 0" <sup>3</sup>	15' — 6"	12' — 0"	43' — 0"
	9' — 0"	19' — 0"	16' — 0"	54' — 0"
	10' — 0"	20' — 0"	14' — 0"	54' — 0"
1. Aisle widths for forty-five (45) degree and sixty (60) degree spaces are one-way only. 2. Tier means two (2) rows of parking spaces, plus an aisle. 3. Compact car spaces only, see Section 9-4.115(a) of this chapter.				

**Parallel Parking**

Space dimensions are to be nine (9) by twenty-two (22) feet. Aisle dimensions for parallel parking are to be twelve (12) feet for one-way aisles, and twenty-four (24) feet for two-way aisles.

**Access Drive Location**

A driveway from a street to a parking area with four (4) or more spaces is to be located and designed as follows:

**Distance From Street Corner**

Parking area driveways are to be located a minimum of fifty (50) feet from the nearest street intersection, as measured from the centerline of the driveway to the nearest travel lane of the intersecting street.

**Number Of Driveways**

Entrance and exit driveways crossing the street property line of a single site are to be limited to two (2) along the frontage of any single street except properties in excess of five hundred (500) feet of frontage may have one additional drive for each two hundred fifty (250) feet. Driveways on the same property are to be separated by a minimum of fifteen (15) feet.

**Driveway Design**

Driveways shall be designed to provide for entrance and exit in a forward direction and to avoid backing directly into public streets.

**Drop-Off Points Required**

Parking areas for public assembly facilities shall include a designated on-site location for dropping off passengers at an entrance to the facility in advance of parking the vehicle. Drop-off points are to be provided for: hotels and motels; schools with fifty (50) or more students; churches with a capacity of one hundred (100) or more; restaurants with a capacity of fifty (50) or more customers; public transportation terminals; places of public assembly; public buildings; and offices larger than five thousand (5000) square feet.

**Tandem Parking**

Each space in a parking lot, area or garage is to be individually accessible, except that automobiles may be parked in tandem in the following situations:

- In a public garage or public parking area where all parking is performed by attendants at all times, or for public assembly facilities and temporary events where user arrivals and departures are simultaneous and where parking is attendant-directed.

- b) For all-day employee parking lots restricted to employee use, provided that required aisle widths are maintained, and no more than fifty (50) percent of the employee spaces are designed for tandem use.

#### **4.5.3C Required Parking Spaces (AMC 9-4.118)**

All land uses requiring approval under this title shall provide off-street parking spaces as specified in subsections Company Vehicles and Parking Requirements By Land Uses of this section:

##### ***Use Of Charts***

The charts in subsection Parking Requirements By Land Uses of this section determine the number of parking spaces required for each use of land, as follows:

##### **Uses Not Listed**

For uses not specifically listed in this subsection that do not have parking requirements set by Chapter 9-6, the same parking and loading space is required as for the most similar use of equivalent intensity; except where a use not listed requires conditional use permit approval, in which case the amount of parking and loading space required shall be as determined by the Planning Commission.

##### **Parking & Loading Intensity**

Parking lot and loading bay intensity describes the rate of vehicle turnover in parking and loading areas. Turnover factors are assigned to each use by the charts in subsection Parking Requirements By Land Uses of this section. High intensity areas have rapid turnover; medium intensity areas are those where vehicles are parked from two (2) to four (4) hours; low intensity areas have minimum turnover and few repeat users, such as long-term and employee parking lots. Loading bay intensity is used in Section 9-4.121.

##### **Mixed Use Sites**

Where a site contains more than one principal land use (such as a shopping center), the amount of parking required shall be the total of that required for each individual use, except as otherwise provided by Section 9-4.115.

##### **Mixed Function Buildings**

Where a building occupied by a single use contains several functions, such as sales, office and storage areas, parking shall be as required for the principal use for the gross floor area (total area of all internal functions); except that when storage areas are larger than two thousand (2000) square feet, the parking requirement is to be determined separately for those areas, as specified for warehousing.

##### ***Terms Used in Charts***

##### **Active Use Area**

All developed areas of a site and buildings except storage, parking and landscaping.

##### **Floor Area**

Gross floor area within buildings.

##### **Office Space**

Any private interior offices or each one hundred fifty (150) square feet of open work area.

##### **Site Area**

Gross site area.

##### **Use Area**

All developed areas of a site and buildings, except parking and landscaping.

##### **Number Of Spaces**

Where Section 9-4.118 (c) sets parking requirements based on building area (square footage), site or use area, the number of spaces is to be as set forth for each footage increment specified or fraction thereof.

##### ***Company Vehicles***

Commercial or industrial uses shall provide one parking space for each company vehicle which is parked on the site during normal business hours. Such space may be located within a building.





## Parking Requirements By Land Uses

### Agricultural Uses

**Table 4.8: Parking Requirements For Agricultural Uses**

Types of Use	Parking Spaces Required
Ag processing: packing and processing	1 per 1,000 square feet of use area
Wineries	1 per 1,000 square feet of active use area and 1 per 3,000 square feet of storage, and 1 per 100 square feet of tasting room
Animal husbandry, farm equipment, and supplies	1 per 500 square feet of floor area, and 1 per 1,000 square feet of outdoor use
Exceptions: Improved off-street parking and loading spaces are not required for an agricultural use, as long as sufficient usable area is provided to meet the parking needs of all employees, visitors and loading activities entirely on the site of the use.	

### Communication Uses

**Table 4.9: Parking Requirements For Communication Uses**

Types of Use	Parking Spaces Required
Broadcasting studios	1 per 500 square feet of floor area
Transmission facilities	Not required to have identified spaces, as long as sufficient usable area is provided to meet the parking needs of all employees entirely on the site of the use



## Cultural, Educational, &amp; Recreation Uses

**Table 4.10: Parking Requirements For Cultural, Educational, & Recreation Uses**

Types of Use	Parking Spaces Required
<b>Active Recreation Facilities:</b>	
Amusement parks/fairgrounds	1 per 75 square feet of use area
Arcades (games) and billiards	1 per 100 square feet of floor area
Bowling alleys	4 per lane
Dance Clubs	1 per 25 square feet of dance floor
Dance studios	1 per 200 square feet of floor area
Golf studios	5 per hole plus any required for clubhouse uses
Golf driving ranges (separate from golf courses)	2 per tee
Miniature golf	2 per hole
Skateboard parks	1 per 500 square feet of use area
Skating rinks	1 per 400 square feet of use area
Swimming pools (public or member)	1 per 100 square feet of pool area, and 1 per 300 square feet of deck area
Tennis courts, racquetball	2 per court
Libraries	1 per 500 square feet
<b>Public Assembly:</b>	
Exhibit facilities (including museums)	1 per 150 square feet of exhibit floor
Seated spectator facilities (including a church, theater, other auditoriums and meeting halls, sports assembly)	1 per 4 fixed seats, or 1 per 40 square feet of spectator area if seats not fixed
<b>Schools:</b>	
Preschools, day care	For facilities with six (6) or less children, no requirement other than that normally required for a residence; for facilities with seven (7) to twelve (12) children, an off-street drop-off area is to be provided with the capability to accommodate at least two (2) cars, in addition to the parking normally required for the residence; to be established through conditional use permit approval for facilities with more than ten (10) children.
Elementary and high school	Off-street parking is to be provided at a ratio of two (2) spaces for each classroom, and one space for one hundred (100) square feet of administrative or clerical office space. Except that where Section 9-4.114 would require more spaces for an on-site auditorium, stadium, gymnasium or other public or sports assembly facility, the larger number of spaces is to be provided.



Business and vocational	Off-street parking is to be provided at a ratio of one space per seat in the largest classroom or instructional area, in addition to spaces required for any proposed auditorium by Section 9-4.114.
College and University	As determined by Planning Commission

#### Manufacturing & Processing Uses

**Table 4.11: Parking Requirements For Manufacturing And Processing Uses**

Types of Use	Parking Spaces Required
Indoor active use	1 per five hundred (500) square feet
Indoor Storage area	1 per one thousand (1000) square feet
Outdoor active use	1 per two thousand (2000) square feet
Outdoor storage area	1 per five thousand (5000) square feet

#### Residential Uses

**Table 4.12: Parking Requirements For Residential Uses**

Types of Use	Parking Spaces Required	
Single-family dwellings (including mobile homes)	2 per dwelling, except 1 per dwelling is required where the site is less than 4,000 square feet in area	
Multifamily dwellings (including condominiums and other attached ownership dwellings)	Residential Parking	1 bedroom unit: 1.5 spaces 2 bedroom unit: 2.0 spaces each additional bedroom: 0.5 space
	Guest Parking	1 space per 5 units, or fraction thereof
Group quarters (including boarding houses, rooming houses, dormitories, and organizational houses)	1 per bed, plus	
	1 per eight beds	

#### Resource Uses

**Table 4.13: Parking Requirements For Resource Uses**

Types of Use	Parking Spaces Required
Extraction Uses	No improved parking is required, provided that sufficient usable area is available to accommodate all employee and visitor vehicles entirely on the site.

Retail Trade Uses

Parking required for a retail use shall be a minimum of two (2) spaces for each use or separate tenancy, except where more spaces are required as follows:

**Table 4.14: Parking Requirements For Retail Trade Uses**

Types of Use	Parking Spaces Required
Auto and vehicle dealers	1 per 400 square feet of showroom, 2 per service bay, 1 per 3,000 square feet of outdoor use area
Building materials & hardware, nurseries	1 per 500 square feet of floor space, 1 per 3,000 square feet of outdoor use area
Eating and Drinking Places:	
Restaurants & bars (on-site consumption. With dancing facilities, are also to meet dance club parking requirements)	
Customer Spaces:	1 per patron table
	1 per 2 counter stools, plus
Employee Spaces:	1 per 6 tables, 1 per 100 square feet of kitchen
Fast food (includes drive-ins. If patron tables provided, use must also meet restaurant customer space requirement)	1 per 25 square feet of kitchen
Food & beverage retail sales	1 per 200 square feet of floor area, 1 per check stand
Furniture, home furnishings & equipment	1 per 500 square feet of sales area, 1 per 1,000 square feet of storage area
General merchandise stores	1 per 300 square feet of sales area, 1 per 600 square feet of storage area
Mail order and vending	1 per 1,000 square feet of use area

Service Uses**Table 4.15: Parking Requirements For Service Uses**

Types of Uses	Parking Spaces Required
Auto repair and service	4 per service bay, 1 per 1,000 square feet of outdoor active use area
Equipment rental	1 per 500 square feet of floor area, 1 per 2,000 square feet of outdoor use area
Copying and reproduction	1 per 400 square feet of floor area
Contract construction services	1 per 500 square feet of floor area
Correctional institutions	As determined by Planning Commission
Financial services	5 per teller window, 3 per service desk
Health care	1 space per 200 square feet of floor area, but not less than 2 spaces per office space and examination room
Hospitals	1 per bed, 1 per office space
Laundries & Dry Cleaning:	



Plants	1 per 1,000 square feet of floor area, plus 2 per office space
Pick-ups	2 per check stand
Offices:	
Accounting, advertising, agencies, architecture, government, insurance law offices, real estate	1 per 400 square feet but not less than 2 per office space
Other offices	1 per 500 square feet of floor area
Photography studios, commercial art studios	1 per 400 square feet of floor area
Post offices	5 per service window, 1 per 500 square feet of floor area other than customer area
Personal Services:	
Barbershops	2 per chair
Beauty shops	3 per chair
Dry Cleaners	1 per 500 square feet of floor area
Funeral and crematory services	1 per 4 seats in each assembly room, 2 per office or 1 per 40 square feet of floor area in assembly rooms, whichever is greater
Health spas	1 per 300 square feet of floor area
Laundromats	1 per 2 washers
Other personal services	1 per 500 square feet of floor area
Public safety facilities	As determined by Planning Commission
Repair service (consumer)	1 per 400 square feet of floor area
Waste disposal site	As determined by Planning Commission

### Transient Lodgings

**Table 4.16: Parking Requirements For Transient Lodgings**

Types of Use	Parking Spaces Required
Hotels, motels	2 spaces, plus 1 per unit, plus 1 per 10 units

### Transportation Uses

**Table 4.17: Parking Requirements For Transportation Uses**

Types of Use	Parking Spaces Required
Public utility terminals	None, provided sufficient usable area is available to accommodate all employee and visitor vehicles entirely on-site
Transit stations and terminals	1 per 20 square feet of waiting area, 1 per 300 square feet of office space; additional spaces as required for accessory uses (restaurants, etc.)
Truck stops	1 per 1,000 square feet of use area for first 5,000 square feet, 1 per 3,000 square feet of use thereafter



Vehicle and freight terminals	2 per loading bay, 1 per 300 square feet of office space
Vehicle storage	None, provided sufficient usage area is available to accommodate all employee and visitor vehicles entirely on-site

### Wholesale Trade Uses

**Table 4.18: Parking Requirements For Wholesale Trade Uses**

Types of Use	Parking Spaces Required
Warehousing:	
Commercial storage	1 per 2,000 square feet of use area for first 10,000 square feet, 1 per 5,000 square feet of use area thereafter
Ministorage	2 spaces for manager office
Wholesaling and distribution	1 per 1,000 square feet of use area for first 10,000 square feet of use area, 1 per 3,000 square feet of use thereafter

#### 4.5.4 Parking Lot Construction Standards (AMC 9-4.119)

All parking areas containing three (3) or more off-street parking spaces are to be improved as follows, except as otherwise provided by this section.

##### Surfacing

All parking areas are to be surfaced with an asphalt, concrete, chip seal, or crushed rock surface, as specified in the following chart or as required by property development standards listed in this Code. Where concrete or asphalt is required, brick or other masonry paving units may be substituted, including turf block.

**Table 4.19 Minimum Required Surface For Parking Areas**

Location	High	Medium	Low
Inside urban services line	Asphalt or concrete	Asphalt or concrete	Asphalt or concrete
Outside urban services line	Asphalt or concrete	Asphalt or concrete	Crushed rock or chip seal

##### Lining & Marking

Parking spaces in paved parking areas shall be marked with paint striping, a minimum of two (2) inches in width. Parking spaces in other types of lots may be identified by wheel stop barriers.

##### Wheel Stops

Wheel stops or continuous concrete or asphalt curbing are required in all parking lots to define the perimeter of the parking area and to protect landscaping from vehicle encroachment. In addition, wheel stops are required for each parking space in a high turnover parking lot. Wheel stops shall be provided as follows:

##### Materials & Installation

Wheel stops shall be constructed of concrete, continuous concrete curbing, asphalt, timber, or other durable material not less than six (6) inches in height, or an approved functional equivalent. Wheel stops are to be securely installed and maintained as a safeguard against damage to adjoining vehicles, machinery or abutting property.





### Setback

Wheel stops or other vehicle barriers shall be located approximately three (3) feet from the front of the parking space.

### Functional Equivalent

Wherever possible, functional equivalents in the form of raised sidewalks or curbs surrounding planters or similar may be used in lieu of wheel stops.

### Vertical Clearance

Covered parking spaces are to have a vertical clearance of at least seven (7) feet six (6) inches above the parking lot surface for all uses, except residential.

### Slope

The finished grade of a parking lot is not to exceed five percent (5%) slope, unless approved by adjustment (Section 9-1.112 of this title).

### Landscaping

A minimum of ten percent (10%) of the interior of all parking lots shall be landscaped, in addition to any perimeter landscaping required by the Screening section below. Shade trees are to be provided at approximately thirty- (30) foot intervals along parking rows. Landscape fingers shall be a minimum of six (6) feet wide shall be provided every eight (8) parking spaces. These landscaping requirements do not apply to parking lots that are underground or within buildings.

### Screening

#### *From Residential Areas*

Parking lots that abut a residential zone shall be separated from such property by a landscaping strip with a minimum width of five (5) feet and a six- (6) foot high solid fence or wall.

#### *From Streets*

Parking lots abutting a public street shall be separated from the street right-of-way by a landscaping strip with a minimum width of ten (10) feet; and, where parking spaces are arranged to head toward the street, by a

minimum three- (3) foot high solid fence decorative wall or landscape equivalent located on the parking lot side of the landscaping strip.

### **4.5.5 Off-Site Parking (AMC 9-4.120)**

Where it is not feasible to provide sufficient on-site parking, an adjustment (Section 9-1.112) may be granted to allow the required parking to be located off-site, provided that:

- a) The most distant parking space is not more than four hundred (400) feet from the use; and
- b) The site of the parking lot is in the same ownership as the principal use, or is under a recorded lease or similar agreement, with the use that provides that the parking will exist as long as the use it serves, unless the parking is replaced with other spaces that satisfy the requirements of this title; and
- c) The site of the parking is not located in a residential zone unless the principal use requiring the parking is allowable in a residential zone. Where any such principal use is subject to conditional use permit approval, the off-site parking shall be subject to conditional use permit approval.

Where off-site parking is a conditionally allowed use in a multiple family zoning district, the following criteria and minimum design standards shall be applied:

- a) The site for the proposed off-site parking shall be adjacent to the commercial use;
- b) The off-site parking shall be maintained for employee use only and shall be supplemental to the normally required parking provided on the commercial site;
- c) The off-site parking shall not be used to increase the density of commercial development normally allowed;
- d) All vehicular access to the off-site parking area shall be from the commercial site. No access to the off-site parking lot shall be taken from a residential street;
- e) A minimum of one-half ( $\frac{1}{2}$ ) of the site shall be developed for residential use. The residential

use shall be so situated that the off-site parking lot is not visible from the street. A minimum of one-half (½) of the allowable residential density shall be provided.

- f) The residential portion of the site shall be developed prior to use of the off-site parking facility;
- g) Site specific design standards such as landscaping, lighting, and security shall be established through the conditional use permit process.

#### 4.5.6 Off-street Loading Requirements (AMC 9-4.121)

Off-street loading bays are required as provided by this section, based upon the loading bay intensity determined by Section 9-4.118(c).

##### Number Of Bays Required

**Table 4.20: Number Of Off-Street Loading Bays Required Based On Intensity**

Use Area in Square Feet	Number of Bays Required		
	Loading Bay Intensity		
	High	Medium	Low
Less than 10,000	1	0	0
10,000 — 30,000	2	1	0
30,000 — 60,000	3	2	1
60,000 — 100,000	4	3	2
100,000 — 150,000	5	4	3
Each additional 50,000	1	0.5	0.25

##### Adjustment To Number Of Bays

The number of loading bays required may be adjusted (Section 9-1.112) to fifty (50) percent of the required

number when such bays are designed to serve two (2) or more uses jointly, provided that each use has access to the loading zone without crossing public streets, alleys, or sidewalks.

##### Use Of Loading Bays

Loading bays shall not be used for repair work, vehicle storage, or to satisfy space requirements for off-street parking.

##### Loading Bay Design Standards

##### Access

Each loading bay shall be accessible from a street or alley or from an on-site aisle or drive connecting with a street or alley. Such access may be combined with access to a parking lot if located so loading activities will not obstruct normal on-site parking and traffic flow. Loading bays shall be designed to preclude the necessity for maneuvering on a street or sidewalk.

##### Setbacks

Loading bays are to be set back a minimum of twenty-five (25) feet from any residential zone.

#### 4.5.7 Driveway Standards For Single-Family Residential Uses (AMC 9-4.123)

Driveways for single-family residences shall be improved as follows in order to make adequate provision for access including that necessary for emergency vehicles:

##### Surfacing

Private driveways with an average slope of twelve (12) percent or more shall be surfaced with asphalt, concrete or chip seal while private driveways with an average slope of less than twelve (12) percent shall be provided with an all-weather surface. No driveway shall be allowed to exceed an average slope of twenty (20) percent unless adjusted (Section 9-1.112) upon a determination that no other feasible alternative is available. Plan and profile drawings may be required by the Community Development Director in order to determine the average slope.



***Width***

Private driveways shall have a minimum width of twelve (12) feet.

***Vertical Clearance***

Private driveways shall have a vertical clearance of fourteen (14) feet.

**4.5.8 Landscaping, Screening, & Fencing (AMC 9-4.124)**

The purposes of landscaping, screening, and fencing standards are to: provide areas on sites which can absorb rainfall to assist in reducing storm water runoff; control erosion; reduce glare and noise; enhance the appearance of structures and property; and to provide visual privacy.

**4.5.8A Fencing & Screening (AMC 9-4.128)**

Standards for fencing and screening are established by this section to protect certain uses from intrusion, to protect the public from uses that may be hazardous, and to increase compatibility between different land uses by visual screening. Fencing is the enclosure of an area by the materials identified in subsection Standards For Fencing And Screening Materials of this section. Screening is the enclosure of an area by a visual barrier, which may include solid fencing or other materials, as specified in subsection Standards For Fencing And Screening Material of this section.

***Fencing & Screening—Where Required***

Within the urban services line, the uses and areas listed in this subsection shall be fenced and/or screened, as indicated. Unless otherwise specified, fencing and screening are to be a minimum height of six (6) feet. Fencing and screening materials of a height greater than three (3) feet shall not be located within a required front setback or side setback adjacent to a street.

**Mechanical Equipment**

When located outside of a building, support equipment, including air conditioning and heating devices, but not including plumbing or exhaust vents, or chimneys, shall be screened to the height of the particular piece of equipment, as follows:

**Roof-Mounted Equipment**

To be screened by architectural features from the view of abutting streets.

**Equipment At Grade**

When located on the ground adjacent to a building, mechanical equipment shall be screened by landscaping, a solid wall or fencing from the view of the street or surrounding properties.

This subsection does not apply to single-family residential uses.

**Outdoor Storage**

To be screened on all sides by a wall or fencing.

**Public Utility Substations**

To be screened on all sides in a manner that will provide an effective visual barrier as well as the necessary safety clearances required by order of the California Public Utilities Commission.

**Side & Rear Lot Lines**

The side and rear property lines of all nonresidential uses are to be screened as follows:

**Adjacent To A Residential Use Or Zone**

A solid wall or fencing shall be located on side and rear property lines of any nonresidential or nonagricultural use abutting a residential use or zone.

***Exceptions To Fencing And Screening Requirements*****Buildings Abutting Property Lines**

Required screening or fencing may be omitted along any lot line where a building wall exists immediately abutting the lot line.

**Location Adjustment**

Where property fencing or screening is required, the location may be adjusted (see Section 9-1.112 of this title), so the fencing may be constructed at or within the setback line, provided the areas between the



fence and the property lines are landscaped, or in rural areas, retained in their natural vegetative state.

#### Planning Commission Modification

Any of the requirements of this section may be waived or modified through conditional use permit approval, provided the Planning Commission first finds that specifically identified characteristics of the site or site vicinity would make required fencing or screening unnecessary or ineffective.

#### ***Standards For Fencing & Screening Materials***

All fencing and screening shall be allowed as follows:

##### Height

Fence and screen height shall be permitted as follows:

##### Gateposts & Other Superstructures

Over site entrances and exits may be up to twelve (12) feet in height.

##### Height Measurement

Fencing and screening materials shall be measured from the finished grade of the uphill lot.

##### The Design Review Committee (DRC)

DRC may grant an exemption to the front setback fencing requirement to a maximum of six (6) feet in height if proposed fence would be consistent with the neighborhood character and does not impair site distance for vehicular traffic, as reviewed by the City Engineer.

##### Permit to Exceed Height

A minor conditional use permit approval is required where fencing is proposed to be greater than six (6) feet in height within or outside any required setback, with the exception of fencing described in subsection Standards For Fencing And Screening Materials and Landscape Screen.

#### Screening Materials Substitution

Where screening is required to be a solid wall or fence, the following materials may be substituted through adjustment (see Section 9-1.112 of this title), except where screening is required adjacent to a residential use or zone:

##### Landscape Screen

Screening plant materials may be substituted for a wall or fence, where:

- a) Proposed plant materials are certified in writing by a registered landscape architect as having the capability of achieving sixty percent (60%) of total view blockage within eighteen (18) months of planting, and one hundred percent (100%) of total view blockage within thirty-six (36) months of planting; and
- b) The applicant agrees in writing to install solid fencing after the expiration of thirty-six (36) months, in the event that the landscaping has not totally blocked the view of areas required to be screened.

##### Berms

A landscaped berm may be substituted for a wall or fence, provided that the combination of berm and landscaping is no less than the required height of the fence or wall, and that the berm is constructed with a maximum slope of three to one (3:1), with side slopes designed and planted to prevent erosion, and with a rounded surface a minimum of two (2) feet in width at the highest point of the berm, extending the length of the berm. The berm shall be planted with shrubs, lawn or groundcover.

##### Chain-Link Fencing

Vinyl-coated, chain-link fencing with evergreen landscape screen planting may be substituted for a solid wall or fence in commercial and industrial zones, except where screening fencing is required adjacent to residential uses and zones.

#### **4.5.9 Solid Waste Collection & Disposal (AMC 9-4.129)**

Within the urban services line, all land uses requiring a zoning approval, except single family dwellings,





temporary uses, agricultural uses, and other uses that do not create a need for solid waste pickup and disposal shall provide an enclosed area for the temporary storage of solid waste before disposal truck pickup, as required by this section.

### ***Application Content***

Applications for plot plan, precise plan and conditional use permit approval shall include the location of solid waste collection areas, collection containers, and maneuvering areas for disposal trucks, including access driveways where necessary.

### ***Collection Area Standards***

#### **Location Of Collection Facilities**

The solid waste collection area shall be located within one hundred (100) feet of the dwellings or buildings served, but is not to be located in any front yard setback (Section 9-4.106).

#### **Enclosure Required**

Solid waste collection areas that use dumpsters or other containers with a total capacity greater than two (2) thirty-three (33) gallon containers shall be screened from the view of public streets and adjoining properties by a solid fence or wall as high as the collection container, but not less than three (3) feet nor more than six (6) feet in height.

#### **Enclosure Construction Standards**

- a) The floor or bottom surface of a solid waste collection area shall be of concrete or other impervious materials.
- b) The collection shall have unobstructed vertical clearance for a minimum height of twenty-five (25) feet.

### **4.5.10 Exterior Lighting (AMC 9-4.137)**

The standards of this section are applicable to all outdoor night-lighting sources installed after the effective date of this title, except for streetlights located within public rights-of-way and all uses established in the Agriculture Zone. An electrical permit may be required by Title 8.

### ***Illumination Only***

Outdoor lighting shall be used for the purpose of illumination only and shall not be designed for or used as an advertising display, except as provided by Sections 9-4.130 et seq.

### ***Nondecorative Exterior Lighting Shielded***

All nondecorative exterior lighting shall be shielded to direct light toward buildings or the ground. Light sources shall be designed and adjusted to direct light away from any road or street and away from any property or buildings outside the ownership of the applicant.

### ***Minimization Of Light Intensity***

No light or glare shall be transmitted or reflected in such concentration or intensity as to be detrimental or harmful to persons or to interfere with the use of surrounding properties or streets.

### ***Decorative Exterior Lighting Shielded***

Where lights are used for the purpose of illuminating or accenting building walls, signs, flags, architectural features, or landscaping, the light source is to be shielded so as not to be directly visible from off-site.

### ***Ground Illuminating Lights***

Any light source used for ground area illumination except incandescent lamps of one hundred fifty (150) watts or less and light produced directly by the combustion of natural gas or other fuels, shall be shielded from above in such a manner that the edge of the shield is level with or below the lowest edge of the light source. Where any light source intended for ground illumination is located at a height greater than eight (8) feet, the required shielding is to extend below the lowest edge of the light source a distance sufficient to block the light source from the view of any residential use within one thousand (1,000) feet of the light fixture.

### ***Height Of Light Fixtures***

Freestanding outdoor lighting fixtures shall not exceed the allowed height of the tallest building on the site, pursuant to Section 9-4.111.



## Chapter 5: Nonconforming Uses

### 5.1 Purpose (AMC 9-7.101)

The purpose of these regulations is to control, improve or terminate uses which do not conform to this title.

#### 5.1.1 Nonconforming Use Defined (AMC 9-7.102)

Nonconforming use includes any of the following which were lawfully established before the effective date, or before any subsequent amendment, or this title:

- a) A building, structure (including signs), land use, or activity which was established or is conducted in a manner which does not conform with one or more standards or permit requirements of this title.
- b) A use of land established in a location where such use is not identified as allowable by this title.

#### 5.1.2 Right To Continue A Nonconforming Use (AMC 9-7.103)

A nonconforming use established prior to the effective date of this title, or prior to any subsequent amendment which creates such nonconformity, may be continued and maintained, except as otherwise provided by this chapter. Continuation of a nonconforming use may include a change of ownership, tenancy or management where the building, structure (including signs), land use or activity is substantially unchanged.

### 5.2 Issued Building Permit (AMC 9-7.104)

Nothing contained in this title shall be deemed to require any change in the plans, construction, or designated use of any building for which a building permit has been issued prior to the effective date of this title, provided that said permit does not lapse (Section 9-2.118).

### 5.3 Nonconformity Due To Lack Of Entitlement (AMC 9-7.105)

Any nonconforming use which is nonconforming only because of the absence of an entitlement shall not be enlarged, altered or extended to occupy a greater land area without first securing approval of the required

entitlement. The use shall be deemed a conforming use upon securing the approval of such entitlement.

### 5.4 Nonconforming Uses Of Land (AMC 9-7.106)

Any nonconforming use of land (Section 9-7.102(b)) may be continued as follows:

#### 5.4.1 Expansion

The use may not be enlarged, increased, or extended to occupy a greater area of land than that occupied on the effective date of this title, except for a detached single-family residence as provided in subsection Single-Family Residential Use of this section.

The Planning Commission may, by conditional use permit, allow a lot occupied by a nonconforming use to be further developed by the addition of conforming uses and structures.

#### 5.4.2 Discontinued Use

If the nonconforming use of land is discontinued for a period of six (6) months or more, any following use shall conform with all applicable requirements of this title.

#### 5.4.3 Single-Family Residential Use

A detached single-family residence existing as a principal use in commercial or industrial zoning districts may be continued as a residential use, subject to subsection Discontinued Use of this section, and may be altered, provided that no increase in the number of dwelling units or increase greater than fifty (50) percent in the usable floor area, as it existed on the effective date of this title, occurs. Any expansion pursuant to this standard shall conform with all applicable provisions of Chapters 9-4 and 9-6.

### 5.5 Nonconforming Use Of A Conforming Building (AMC 9-7.107)

The use of a building which is in conformity with the provisions of this title but which is occupied by a nonconforming use may be continued as follows:



### **5.5.1 Extension Of Use**

The use may be extended throughout the building provided no structural alterations to the building are made except those required by law.

### **5.5.2 Discontinued Use**

If the nonconforming use of the building is discontinued for a period of six (6) months or more, any subsequent use of the structure shall conform with all applicable requirements of this title.

## **5.6 Nonconforming Structures (AMC 9-7.108)**

Any structure that does not conform to the setback, height, or coverage requirements specified in this title, or the requirements of the building and construction ordinance, may continue to be used provided the structure was established and has been maintained in a lawful manner and condition and is not altered or expanded, except:

Proposed alterations or expansions consistent with the provisions of this title, when accompanied by any additional alterations necessary to bring the structure into conformity with all applicable provisions of Title 8 of this code, shall be allowed.

Minor alterations necessary to improve or maintain the health and/or safety of the occupants, or required by law, shall be allowed.

Restoration of destroyed or partially destroyed nonconforming structures is subject to Section 9-7.110.

## **5.7 Destroyed Structures & Signs (AMC 9-7.110)**

If a nonconforming structure, a structure that constitutes a nonconforming land use (Section 9-7.106) or a nonconforming sign is destroyed or partially destroyed to the extent of seventy-five (75) percent or more of the replacement cost of the total structure before destruction by fire, explosion or act of God, the destroyed use, structure or sign may be replaced or reconstructed; provided, the use, structure or sign and the land on which it was located are in conformity, or are brought into conformity with all applicable requirements

of this title. If a nonconforming use, structure or sign is partially destroyed to less than seventy-five (75) percent of the replacement cost of the total structure before destruction, it may be restored to its former nonconforming status.

## **5.8 Nonconforming Parking (AMC 9-7.111)**

A use may be established in a structure which is nonconforming only as to off-street parking (Section 9-4.114) only:

- a) After the requirements for off-street parking have been met for the existing structure, as well as for any expansion; or
- b) As allowed by Section 9-7.112.

## **5.9 Substitution Of Use (AMC 9-7.112)**

A nonconforming use may be replaced with another use even though the building or site does not meet the standards of this title. However, such substitution shall occur only when the new use is determined to be similar to the prior nonconforming use or is allowed by Chapter 9-3 and only where:

- a) Any modifications or alterations to the structure occur as provided by Section 9-7.108(a); and
- b) A building or site does not conform with the parking standards of Section 9-4.114, in which case substitution shall not occur unless:
  - 1) The new use is required by Section 9-4.114 to provide the same number of parking spaces as the existing use, in which case no additional parking is required; or
  - 2) Where a new use is required (Section 9-4.114) to have a greater number of spaces than the existing use, the number of spaces provided shall be the difference between those required for the new use and those required for the existing use.

### **5.10 Nonconforming Lot Defined (AMC 9-7.113)**

Any lot having an area less than the minimum parcel size required by this title or other ordinances is a legal nonconforming lot if:

- a) The lot is shown on a duly approved and recorded subdivision or parcel map; or
- b) The lot has been issued a certificate of compliance or a conditional certificate of compliance.

### **5.11 Use Of Nonconforming Lots (AMC 9-7.114)**

A legal nonconforming lot may be developed for uses identified as an allowable or conditional use by Title 9, provided the minimum development standards established for a particular use are satisfied. This includes structures that are partially or completely destroyed that are conforming uses.

### **5.12 Reduction In Size Of Nonconforming Lots (AMC 9-7.115)**

Reductions in the size of existing nonconforming lots shall only be allowed with lot line adjustments to correct historical and geographical use problems and to facilitate the relocation of existing utilities, infrastructure or easements. Under no circumstances shall lots conforming to minimum lot sizes be reduced in size to a nonconforming status.

### **5.13 Procedures For Lot Line Adjustments (AMC 9-7.116)**

Application for a lot line adjustment affecting a nonconforming lot(s) shall be in a form approved by the Community Development Director. Procedures for Planning Commission consideration and action on such lot line adjustments shall be as provided for variances in Section 9-1.113 of this title.





Allowed Land Uses and Permit Requirements	Permitted Uses By Zoning District																
	Ag & Residential Zoning Districts							Non-Residential Zoning Districts									
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	OS	P
<b>Agricultural Resources</b>																	
Agricultural Accessory Uses	A	A	A														A
Small Scale Ag Processing	A	A	A	AUP	AUP												
Large Scale Ag Manufacturing	A	CUP												CUP	A		
Farm Animal Raising	A	A	A	AUP	AUP												A
Farm Equipment & Supplies								A	A		A			A	A		
Agriculture Employee Housing	A																
Horticultural Specialties	A	A					A	A	A		A						CUP
Agricultural Produce Stands	A	A	A	AUP	AUP	A	A			A	A						
Livestock Specialties	A	CUP															
Medical Marijuana		A	A	A	A												
Farmers Market						CUP	CUP	CUP		CUP	CUP	A	A			A	A
<b>Natural Resources</b>																	
Resource Extraction	CUP	CUP															
<b>Residential Uses</b>																	
Mobile home Parks		CUP	CUP	CUP	CUP												
Mobile home / Manufactured Home	A	A	A	A	A												
Multi-family Housing					A	CUP	CUP	CUP	CUP			A	A				
Organizational Houses		CUP	CUP	CUP	CUP												





Allowed Land Uses and Permit Requirements	Permitted Uses By Zoning District																		
	Ag & Residential Zoning Districts									Non-Residential Zoning Districts									
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	OS	L	LS	P
Residential Accessory Uses	A	A	A	A	A													A	
Secondary Units		A	A	A															
Age Restricted Housing												CUP							
Single-Family Dwelling		A	A	A	A							A	A					A	CUP
Single-Room Occupancy Units								CUP											
Temporary Dwelling	A	A	A	A	A													A	
Care Taker's Residence / Employee Unit							CUP	CUP	CUP								CUP		
Live/Work Unit												A							
Recreation, Education & Public Assembly																			
Schools -Business & Vocational		CUP	CUP	CUP	CUP		A	A	A	A	A	CUP	CUP	CUP	CUP		A		CUP
Schools		CUP	CUP	CUP	CUP		A	A	A			CUP	CUP						A
Churches & Related Activities		CUP	CUP	CUP	CUP		CUP	CUP											CUP
Membership Organizations								A	A		CUP	CUP					A		CUP
Indoor Recreation Services							CUP	CUP	CUP	A	A	A		CUP			CUP	CUP	A
Recreation Services – Outdoor								CUP		CUP	A						A	CUP	A
Libraries, Museums							A	A	A	A		A	A				A	A	A
Outdoor Recreation Services								CUP	CUP	A							A	CUP	A
Amusement Services							CUP	CUP	CUP		A						CUP		
Public Assembly & Entertainment								CUP	CUP	A	CUP	CUP					CUP		A



Allowed Land Uses and Permit Requirements	Permitted Uses By Zoning District																		
	Ag & Residential Zoning Districts									Non-Residential Zoning Districts									Public Zoning Districts
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	OS	L	LS	P
		A	A	A	A							A	A		A	A	A	A	A
	CUP	CUP															A	CUP	
							A	A	A										CUP
								CUP	CUP	A							CUP		
	A	A	A	A	A			A	A	A	A			A	A		A	A	A
																	CUP	CUP	CUP
Tourism, Lodging & Dining																			
		CUP	CUP	CUP	CUP		CUP	CUP	CUP	CUP							A	A	
							CUP	A	A	A		CUP						CUP	
										A							CUP	CUP	CUP
								CUP		CUP	CUP	A							
						A	CUP	A	A	A	CUP	A		CUP					
						A	CUP	A	A	A	CUP	A		CUP					
						A	A	A	A	A	A	A					CUP	CUP	
						CUP	CUP	CUP	CUP	CUP	CUP								
Retail Trade and Sales																			
	A	A	A	A	A		A	A	A	A	A			A	A		A	A	
								CUP	CUP	CUP	CUP	CUP							
								A	A		A	A		A	A				
							A	A	A		A	A		A	A				



Allowed Land Uses and Permit Requirements	Permitted Uses By Zoning District																
	Ag & Residential Zoning Districts							Non-Residential Zoning Districts							Public Zoning Districts		
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	OS	P
Fuel Dealer								A	A		A			A	A		
General Retail						A	A	A	A	A	A	A				A	
General Retail greater than 50,00 sf						CUP	CUP	CUP	CUP	CUP	CUP	CUP					CUP
Sales Lots										CUP	CUP			CUP	CUP		
Adult Oriented Business								A	A					A	A		
Temporary or Seasonal Retail Sales						A	A	A	A	A	A	A		A	A	A	A
Service Stations						CUP		CUP	CUP	A							
Mobile eating and drinking vendors						A	A	A	A		A	A		A	A		
EV Charging Sites																	
<b>Services – Business, Financial &amp; Profession</b>																	
Financial Services & Banks						A	A	A	A	A	A	CUP	A				
ATM						A	A	A	A	A	A	A	A	A	A		A
Government Offices & Facilities						A	A	A	A	A	A	A	A	A	A		A
Health Care Services							A	A	A	CUP	A						CUP
Offices						A	A	A	A	A	A	A	A				
Temporary Offices							A	A	A								A
<b>General Services</b>																	
Home Occupation		A	A	A	A											A	
Animal Hospitals								CUP	A		CUP						CUP
Day Care																	
Childcare Center		CUP	CUP	CUP	CUP		A	A	A				CUP				CUP



Allowed Land Uses and Permit Requirements	Permitted Uses By Zoning District																		
	Ag & Residential Zoning Districts										Non-Residential Zoning Districts							Public Zoning Districts	
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	OS	L	LS	P
Large Family Day Care		CUP	CUP	CUP	CUP		A	A	A				CUP						
Small Family Daycare		A	A	A	A							A							
Adult Day Care Facility							A	A	A				CUP						CUP
Residential Care Facility for the Elderly (RCFE) 6 Clients or less – Residential Care Facility for the Elderly (RCFE) 6 Clients or less – Assisted Living		A	A	A	A	A		A	A			A	A						
Residential Care Facility for the Elderly (RCFE) 7 Clients or more – Assisted Living		CUP	CUP	CUP	CUP														
RCFE – Independent Living					CUP	CUP		CUP	CUP										
RCFE – Retirement Hotel					CUP	CUP		CUP	CUP										
Residential Care: 6 Residents or Less		A	A	A	A														CUP
Residential Care: 7 Residents or More		CUP	CUP	CUP	A														CUP
Medical Extended Care Services: 6 Residents or Less		A	A	A	CUP	A			A										CUP
Medical Extended Care Services: 7 Residents or More		CUP	CUP	CUP	CUP	A			A										CUP
Transitional Housing		A	A	A															
Mortuary Services								A	A										CUP
Kennels		CUP	CUP					CUP	A										



Allowed Land Uses and Permit Requirements	Permitted Uses By Zoning District																		
	Ag & Residential Zoning Districts									Non-Residential Zoning Districts							Public Zoning Districts		
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	OS	L	LS	P
A Allowed Use, Zoning Clearance Required AUP Administrative Use Permit Required CUP Conditional Use Permit Required <input type="checkbox"/> Not Permitted	Land Use Definition																		
	Auto Repair and Services							CUP	A	A	CUP			A	A				
	Mini-Storage										CUP			A	A				CUP
	Personal Services					A	A	A	A	A	CUP	A							
	Personal Service Restricted								A	CUP	CUP								
	Printing & Publishing							CUP			A			A	A				
	Business Support Services						A	A	A		A	A	A	A	A				
	Contact Construction Services								A		A			A	A				
	Vehicle & Equipment Storage								CUP			CUP			A	A			CUP
Industrial, Wholesale, Manufacturing Uses																			
Manufacturing & Processing - Low Intensity							CUP	CUP	A		A			A	A				
Manufacturing & Processing – High Intensity									CUP		CUP			AUP	AUP				
Collection Stations						A	A	A	A	A	A			A	A		A	A	A
Recycling & Scrap														CUP	CUP				
Recycling Centers														CUP	CUP				
Research & Development							CUP		A		A	CUP	A	A	A				
Laundries & Dry Cleaning Plants									A		A			A	A				
Medical Research							CUP		A		A		CUP	A	A				
Storage, Recycling and Dismantling of Vehicles and Material									CUP					A	A				
Warehousing									CUP		CUP			A	A				





Allowed Land Uses and Permit Requirements	Permitted Uses By Zoning District																
	Ag & Residential Zoning Districts							Non-Residential Zoning Districts									
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	OS	P
Land Use Definition																	
Wholesaling & Distribution Center							AUP	AUP	A		A			A	A		
Winery - Boutique								A	A	A		A		A	A		
Winery – Production									CUP		CUP			A	A		
Brewery – Production									CUP		CUP			A	A		
Transportation, Communication, & Infrastructure																	
Parking Lots						AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP		A
Transit Stations								CUP	CUP	A	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Utility Facilities	A	A	A	A	A		A	A	A	A	A	CUP	CUP	CUP	A	CUP	A
Vehicle & Freight Terminals									CUP					CUP	CUP		A
Utility Infrastructure	CUP	CUP	CUP	CUP	CUP		CUP	CUP	CUP	CUP	CUP			CUP	CUP	CUP	CUP
Broadcast Studios								A	A								
Wireless Communication Facility	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Data and Computer Services Center							AUP		AUP		CUP			A	A		

